Washington, Wednesday, February 6, 1957

#### TITLE 3—THE PRESIDENT

#### PROCLAMATION 3169

DORCHESTER DAY, 1957

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMATION

WHEREAS February 3, 1957, marks the fourteenth anniversary of the sinking of the Army transport *Dorchester* by enemy action off the coast of Greenland; and

WHEREAS four Army chaplains—a Methodist minister, a minister of the Reformed Church, a Roman Catholic priest, and a Jewish rabbi—led those on board the vessel in prayer, and gave their own lifejackets to others, creating a saga of faith and heroism that will long remain an inspiration to all who believe in God and love their country; and

WHEREAS the Distinguished Service Cross, for services beyond the call of duty, was awarded posthumously to each of these four men of religion, George L. Fox, of Gilman, Vermont, Methodist; Alexander D. Goode, of York, Pennsylvania, Jewish; Clark V. Poling, of Schenectady, New York, Reformed Church in America; and John P. Washington, of Newark, New Jersey, Roman Catholic; and

WHEREAS the Congress, by House Concurrent Resolution 90, agreed to by the Senate on January 30, 1957, has set apart the third day of February 1957 as a day dedicated to the memory of these four chaplains, and of other brave men who died on the *Dorchester*:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby direct the appropriate officials to arrange for the display of the flag of the United States on all Government buildings on Dorchester Day, February 3, 1957; and I call upon the people of the United States to observe that day in churches, or other suitable places, with appropriate ceremonies, in commemoration of the heroic conduct and the deaths of the four chaplains and other brave men who lost their lives in the sinking of the Dorchester.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal

of	the	United	States	of	America	to	be
aff	ixed.						

DONE at the City of Washington this second day of February in the year of our Lord nineteen hundred and [SEAL] fifty-seven, and of the Independence of the United States of America the one hundred and eighty-first.

DWIGHT D. EISENHOWER

By the President:

John Foster Dulles, Secretary of State.

[F. R. Doc. 57-953; Filed, Feb. 5, 1957; 10:41 a.m.]

#### TITLE 6-AGRICULTURAL CREDIT

## Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B-Farm Ownership Loans

[FHA Instruction 443.1]

PART 331-POLICIES AND AUTHORITIES

SPECIAL AUTHORITY TO ALTER ELIGIBILITY REQUIREMENTS

A new § 331.14a is added to Part 331, Title 6, Code of Federal Regulations (21 F. R. 10441) to authorize administrative changes in eligibility requirements for applicants in areas designated under the Rural Development Program and to read as follows:

§ 331.14a Special authority to alter eligibility requirements. If a State Director determines that the credit needs in an area designated under the Rural Development Program cannot be satisfactorily met under the eligibility requirements contained in this part, the Administrator may make exceptions to administrative eligibility requirements.

(Sec. 41 (i), 60 Stat. 1066; 7 U. S. C. 1015 (i). Interprets or applies secs. 1, 2, 3, 60 Stat. 1072, 1073, 1074, as amended, Pub. Law 878, 84th Cong.; 7 U. S. C. 1001, 1002, 1003)

Dated: January 31, 1957.

[SEAL]

] K. H. HANSEN,
Administrator,
Farmers Home Administration.

[F. R. Doc. 57-862; Filed, Feb. 5, 1957; 8:47 a. m.]

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# GENERAL INDEX TO CODE OF FEDERAL REGULATIONS

Revised as of January 1, 1956 (\$4,75)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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# TITLE 9—ANIMALS AND ANIMAL PRODUCTS

#### Chapter I—Agricultural R e s e a r c h Service, Department of Agriculture

Part 16—Marking, Branding, and Identifying Products

PART 17-LABELING

PART 27-IMPORTED PRODUCTS

APPROVAL OF LABELING MATERIAL FOR MEATS, MEAT BYPRODUCTS, AND MEAT FOOD PRODUCTS OFFERED FOR IMPORTATION INTO THE UNITED STATES; DECLARATION OF POLICY

Parts 16, 17 and 27 of the Meat Inspection Regulations (9 CFR Parts 16, 17 and 27, as amended) issued pursuant to the Meat Inspection Act, as amended and extended (21 U. S. C. 71 et seq.) and paragraphs 306 (b) and (c) of the Tariff Act of 1930 (19 U. S. C. 1306 (b) and (c)) prescribe various requirements for labeling meats, meat byproducts, and meat food products offered for importation into the United States and require approval by the Department of labeling used in connection therewith.

Amendments to the regulations changing the labeling requirements for certain products and merchandising practices resulting in label design changes have made most labels approved prior to July 1, 1950, obsolete.

Accordingly approvals prior to July 1, 1950, of labeling material for imported meats, meat byproducts, and meat food products are hereby cancelled effective April 1, 1957. Any person who proposes to use labeling material, for meats, meat byproducts, or meat food products to be imported into the United States on or after April 1, 1957, which was approved prior to July 1, 1950, and has not since been reapproved, must submit such labeling material to the Chief of the Meat Inspection Branch for approval under the regulations currently in effect.

(Ch. 2907, 34 Stat. 1264, sec. 306, 46 Stat. 689; 19 U. S. C. 1306; 21 U. S. C. 89)

Done at Washington, D. C., this 1st day of February 1957.

[SEAL] A. R. MILLER,
Chief, Meat Inspection Branch,
Agricultural Research Service,
United States Department of
Agriculture.

[F. R. Doc. 57-861; Filed, Feb. 5, 1957; 8:47 a. m.]

# TITLE 16—COMMERCIAL PRACTICES

#### Chapter I—Federal Trade Commission

[Docket 6625]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

MARKET TIRE CO. ET AL.

Subpart—Advertising falsely or misleadingly: § 13.70 Fictitious or misleading guarantees; § 13.140 Old, reclaimed or reused as new; § 13.155 Prices: Bait; discount savings; exaggerated as regular and customary; retail or selling as wholesale, jobbing, factory distributors', etc., or discounted; § 13.175 Quality of product or service; § 13.285 Value.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Market Tire Company (Bethesda, Md.) et al., Docket 6625, January 25, 1957]

In the Matter of Market Tire Company, a Corporation and David Lawson and Allan Bratman, Individually and as Officers of said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging two corporations and their common officers selling new and used automobile and truck tires in Washington, D. C., and Bethesda, Md., with using bait advertising in newspapers and other false claims as to prices, savings and discounts, guarantees, and quality; and false representations that certain older tires—most of them no longer manufactured—were "Factory Fresh" or "1956" stock.

Following entry of an agreement containing consent order to cease and desist, the hearing examiner made his initial decision and order to cease and desist which on January 25 became the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent Market Tire Co. of Southeast, Inc., a corporation, respondent Market Tire Co. of Maryland, Inc., a corporation, and their officers, respondents David Lawson and Allan Bratman, individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of new and used automobile and truck tires or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act. do forthwith cease and desist from-

1. Representing, directly or by implication, that said merchandise is offered for sale when such offer is not a bona fide offer to sell the merchandise so offered:

2. Representing, directly or by implication, that a specified brand of tire is being offered for sale at a featured price, unless such is the case:

- 3. Using the term "list price" to designate, describe, or refer to manufacturer's list price, without disclosing that it is the manufacturer's list price, on tires other than those which have been bona fide regularly sold and offered for sale at such "list price" by respondents in the usual and normal course of business;
- 4. Representing, directly or by implication, that specific savings or discounts are afforded a purchaser upon the purchase of tires when such purported savings or discounts do not take into account the trade-in if such be required in the sale of such tires:
- 5. Representing that tires are "Factory Fresh" or the stock of any particular year, unless such is the case;
- 6. Representing that "Take-off" or "Changeover" tires are new;

- 7. Representing, directly or by implication, that any merchandise sold or offered for sale by respondents is guaranteed, unless the nature and extent of the guarantee and the manner in which guarantor will perform thereunder are clearly and conspicuously disclosed;
- 8. Representing, directly or by implication, that a specified tire is of a certain kind, line, quality, or level when such tire is of a different kind, line, quality, or level:
- 9. Representing, directly or by implication, that respondents' usual or customary price of any merchandise is in excess of the price at which said merchandise is regularly and customarily sold in the normal course of respondents' business.

It is further ordered, That since the parties have been improperly designated in the complaint, in order to make the pleadings conform to the agreement for a consent order to cease and desist, the complaint herein be, and the same hereby is, amended to make Market Tire Company of Southeast, Inc., a Maryland corporation, Market Tire Company of Maryland, Inc., a Maryland corporation, and Allan Bratman and David Lawson, individually and as officers of said corporations, parties respondent.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents Market Tire Company of Southeast, Inc., a corporation, and Market Tire Company of Maryland, Inc., a corporation, and respondents David Lawson and Allan Bratman, individually and as officers of said corporate respondents, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: January 25, 1957.

By the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F. R. Doc. 57-864; Filed, Feb. 5, 1957; 8:48 a.m.]

[Docket 6626]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

#### BEN HUNDLEY

Subpart—Advertising falsely or misleadingly: § 13.130 Manufacture or preparation; § 13.140 Old, reclaimed, or reused as new; § 13.155 Prices: Bait; discount savings; retail or selling as wholesale, jobbing factory distributors', etc., or discounted; § 13.175 Quality of product or service; § 13.285 Value.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Hiram B. Hundley trading as Ben Hundley, Washington, D. C., Docket 6626, January 16, 1957]

In the Matter of Hiram B. Hundley, an Individual, Trading and Doing Business as Ben Hundley

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a seller of new and used automobile and truck tires in Washington, D. C., with using bait advertising and other false claims in newspapers as to prices, values, and savings, and false representations that tires actually no longer manufactured were "Factory Fresh", of "1955" or "1956" stock, and that certain others were "Factory Reconditioned".

Following entry of an agreement containing consent order to cease and desist, the hearing examiner made his initial decision and order to cease and desist which became on January 16 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent Hiram B. Hundley, an individual, trading and doing business as Ben Hundley, or trading and doing business under any other name or names, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of new and used automobile and truck tires or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from—

1. Representing, directly or by implication, that said merchandise is offered for sale when such offer is not a bona fide offer to sell the merchandise so offered:

2. Representing, directly or by implication, that a specified brand of tire is being offered for sale at a featured price, unless such is the case;

- 3. Using the term "list price" to designate, describe, or refer to manufacturer's list price, without disclosing that it is the manufacturer's list price, on tires other than those which have been bona fide regularly sold and offered for sale at such "list price" by respondent in his usual and normal course of business:
- 4. Representing, directly or by implication, that specific savings or discounts are afforded a purchaser upon the purchase of tires when such purported saving or discounts do not take into account the trade-in if such be required in the sale of such tires;
- 5. Representing that tires are "Factory Fresh" or the stock of any particular year, unless such is the case:
- 6. Representing that any used tires are "Factory Reconditioned" when in fact such work has not been done by a factory or a manufacturing plant:

7. Representing that "Take-off" or "Changeover" tires are new;

- 8. Representing, directly or by implication, that any merchandise sold or offered for sale by respondent is guaranteed, unless the nature and extent of the guarantee and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed:
- 9. Representing, directly or by implication, that respondent's usual or custo-

mary price of any merchandise is in excess of the price at which said merchandise is regularly and customarily sold in the normal course of respondent's business.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent Hiram B. Hundley, an individual, trading and doing business as Ben Hundley, shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: January 16, 1957.

By the Commission.

[SEAL]

ROBERT M. PARRISH, Secretary.

[F. R. Doc. 57-863; Filed, Feb. 5, 1957; 8:48 a. m.]

#### [Docket 6260]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

C. G. OPTICAL CO. AND BENJAMIN D. RITHOLZ

Subpart—Advertising falsely or misleadingly: § 13.170 Qualities or properties of product or service.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, C. G. Optical Company et al., Chicago, Ill., Docket 6260, January 18, 1957]

In the Matter of C. G. Optical Company, a Corporation, and Benjamin D. Ritholz, Individually

The complaint in this case charged a corporation and its sole owner—engaged in Chicago in selling eyeglasses, and as an inducement to such sale sending to those answering his advertisements for their home use in the measurement of the face and nose, devices designated "Self-Test Opto-meter" or "Home Eye Tester"-with representing falsely in advertisements in newspapers and periodicals and by circulars and form letters and in explanatory literature and directions accompanying the eye-testing kit sent to those requesting it, that the eyeglasses made pursuant to the results of tests of the eyes made by recipients' use of said devices would correct the defects in vision of all persons.

Following entry of a stipulation for a consent order between the parties, the hearing examiner made his initial decision which was adopted by the Commission. Subsequently, on motion of respondent, the Commission vacated the initial decision and its order and remanded the case to the hearing examiner for further proceeding.

At a hearing, respondents' counsel withdrew their answers previously filed and made an oral answer admitting all the allegations of the complaint. In addition they offered in evidence certain circulars purporting to show a change in respondents' representations which had been in use for six months prior to the hearing. Further proceeding was waived except the filing of proposed findings and conclusions,

On this basis, the hearing examiner again made his initial decision and order to cease and desist. The Commission, after hearing the matter on respondents' appeal therefrom, on January 18 denied the appeal and adopted as its own the findings, conclusions, and order contained in the initial decision.

The order to cease and desist is as follows:

It is ordered, That respondents, C. G. Optical Company, a corporation, and its officers, and respondent Benjamin D. Ritholz, individually, and respondents' agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution of eyeglasses, do forthwith cease and desist from—

- 1. Disseminating, or causing to be disseminated, any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents. directly or by implication, that the eyeglasses sold by respondents, made pursuant to the results of tests of the eyes using respondents' devices, will correct, or are capable of correcting, defects in vision of persons unless expressly limited to those persons approximately forty years of age and older who do not have astigmatism or diseases of the eye and who require only simple magnifying or reducing lenses.
- 2. Disseminating, or causing to be disseminated, any advertisement by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of their eyeglasses in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains the representation prohibited in paragraph 1 hereof.

By "Final Order", report of compliance was required as follows:

It is ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order contained in the initial decision.

Issued: January 18, 1957.

By the Commission.

[SEAL]

ROBERT M. PARRISH, Secretary.

[F. R. Doc. 57-865; Filed, Feb. 5, 1957; 8:48 a. m.]

# TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power
Commission

[Order 172-A; Docket No. R-129]

PART 11-ANNUAL CHARGES

ORDER GRANTING REDUCTION IN ANNUAL ADMINISTRATIVE CHARGES FOR CERTAIN SPECIFIED YEARS

Pursuant to Public Law 278, approved August 15, 1953 (67 Stat. 587), the Com-

mission by its Order No. 172 issued April 28, 1954 amended Part 11 of Subchapter B of its Regulations under the Federal Power Act (18 CFR, Part 11) by the addition of § 11.28 thereunder so as to entitle a State or municipal licensee to a reduction in the amount of the annual charges fixed under a license heretofore or hereafter issued for a major project to the extent of thirty percent of the net amount of the charges assessed for the purpose of reimbursing the United States for the cost of administration of Part I of the Federal Power Act as reduced by any exemption that may be granted pursuant to section 10 (e) of the Act. The amendment was made retroactively effective from and after January 1, 1954.

Subsequently, the Commission granted a rehearing on and stay of its Order No. 172. Pre-hearing conferences before a Commission examiner on the issues involved were held on February 2 and December 4, 1956, in which all parties herein participated, including Commission staff counsel. The conferences resulted in an agreement by all the parties in this proceeding including staff counsel as follows:

(1) It is agreed that the representatives of the licensees which are parties to this proceeding and the Commission's staff recommend that the Commission reduce the annual charges to all State and municipal licensees by 65 percent of the annual charges assessed under such licenses for reimbursing the United States for the costs of administration of Part I of the Federal Power Act for calendar years 1953, 1954, 1955 and 1956, without prejudice to the position to be taken thereafter by any of the parties or by the staff in the future;

(2) It is agreed that it is also recommended that the present proceeding be continued, including the hearing ordered by the Commission, for the purpose of fixing the annual administrative charges to be paid by State and municipal licensees for the calendar years subsequent to the calendar year 1956.

The occasion for the recommendation contained in subparagraph (1) above was the fact that during the years specified State and municipal licensees had not been billed nor had they made remittance of any charges owing for those years for the costs of administration of Part I of the Federal Power Act, and it was felt that some disposition should be made of those obligations without further delay. We believe the agreement to be the most appropriate and practical means of disposing of the matter at this time insofar as past uncollected charges are concerned.

The Commission finds: It is both desirable and in the public interest to adopt the recommendations above set out; to grant the aforementioned reduction of 65 percent with respect to the annual charges assessed under State and municipal licenses for reimbursing the United States for the costs of administration of Part I of the Federal Power Act for the four years involved, and to continue for further hearing the present proceeding for the purpose of fixing the annual administrative charges to be paid by State and municipal licensees for the

calendar years subsequent to the calendar year 1956, as hereinafter provided.

The Commission orders:

(A) The annual charges specified in the major licenses issued to all States and municipalities for reimbursing the United States for the costs of administration of Part I of the Federal Power Act for the calendar years 1953, 1954, 1955 and 1956 are reduced by 65 percent, without prejudice to the position to be taken hereafter by any of the parties to this proceeding or by the staff.

(B) This proceeding shall continue including the hearing in progress pursuant to our order issued August 30, 1954, for the purpose of fixing the annual administrative charges to be paid by State and municipal licensees for the calendar

years subsequent to the calendar year 1956.

Issued: January 31, 1957.

By the Commission.

[SEAL] LEON M. FUQUAY, Secretary.

[F. R. Doc. 57-878; Filed, Feb. 5, 1957; 8:49 a. m.]

#### **NOTICES**

#### DEPARTMENT OF THE INTERIOR

**Bureau of Land Management** 

UTAH

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JANUARY 29, 1957.

The notice of proposed withdrawal and reservation of land as applied for by the United States Department of Agriculture, published in the FEDERAL REGISTER OF January 23, 1957 (F. R. Doc. 57-428; 22 F. R. 452) is corrected as to the location of the proposed withdrawal for the Hub Ranger Station Administrative Site. The description of the land for this facility is as follows:

UINTAH SPECIAL MERIDIAN, UTAH

UINTAH NATIONAL FOREST

T. 2 S., R. 12 W.,

Sec. 28: SE¼ NE¼ NE¼, E½SW¼ NE¼ NE¼, N½SE¼ NE¼, N½NE¼SW¼ NE¼, NW¼ NW¼SW¼ NE¾.

Total area, 42.5 acres.

Evan L. Rasmussen, Acting State Supervisor.

[F. R. Doc. 57-859; Filed, Feb. 5, 1957; 8:47 a. m.]

[Classification Order 519] CALIFORNIA

SMALL TRACT OPENING

JANUARY 29, 1957.

1. Pursuant to authority delegated to me by the California State Supervisor, Bureau of Land Management, under Part II, document 4, California State Office, dated November 19, 1954 (19 F. R. 7697), I hereby classify the following described public lands totalling 160 acres in San Diego County, California, as suitable for lease and sale for residence purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended:

SAN BERNARDINO BASE AND MERIDIAN T. 15 S., R. 8 E., Sec. 19, SW1/4.

Containing 160 acres, subdivided into 32 small tracts, of which 20 are covered by applications from persons entitled to preference under 43 CFR 257.5 (a).

2. Classification of the above-described land by this order segregates it from all appropriations, including location under the mining laws, except as to applications

under the Small Tract Act and applications under the mineral leasing laws.

3. The land is located in the southwestern part of Carrizo Valley, which lies approximately 38 miles southeast of Julian, California, and approximately the same distance northwest of El-Centro, California. A fair graded dirt road, the Imperial Highway, passes through the northeast portion of the land. The major portion of the land is situated on a sandy knoll called Egg Mountain. Its topography is irregular and rolling with steep slopes along the west and east sides and rather gentle to moderate slopes on the north and south lines of the land. Carrizo Creek cuts by the southeast corner of the land.

The soil is gravelly sand to coarse sand, loose in the upper horizon, and the surface is covered by scattered cobbles and boulders. The vegetation is desert shrub type, consisting of creosote bush, sages, cholla cactus, occillo, and scattered annual grasses.

Domestic water supply may be obtained from underground sources by drilling of wells. An electric power line passes near the area.

4. The land will be leased and sold in rectangular tracts of 5 acres each, more or less, 330 x 660 feet in size, and described as aliquot parts of the section. The appraised value of each tract is \$150, and the advance rental for three years is \$30. The tracts will be subject to all existing rights-of-way and to rights-of-way for road purposes and public utilities as described below. Such rights-of-way may be utilized by the Federal or State Governments, or the County or municipality to which it is situated, or by any agency thereof.

33 feet along the interior boundary of the north, south, and west lines of SW14, the east line of W12W12SW14, the west line of E12W12SW14, the east line of W12E12SW14, and the west line of E12E12SW14.

All minerals in the land will be reserved to the United States.

5. Leases will be issued for a term of three years and will contain an option to purchase in accordance with 43 CFR 257.13. Lessees who comply with the general terms and conditions of their leases will be permitted to purchase their tracts at the price listed above providing that during the period of their leases they either (a) construct the improvements specified in paragraph 7 or (b) file a copy of an agreement in accordance with 43 CFR 257.13 (d). Leases will be renewable at the discretion of the

Bureau of Land Management and the renewal lease will be subject to such terms and conditions as are deemed necessary in the light of the circumstances and the regulations existing at the time of renewal. However, a lease will not be renewable unless failure to construct the required improvements is justified under the circumstances and nonrenewal would work an extreme hardship on the lessee.

6. Persons who have previously acquired a tract under the Small Tract Act are not qualified to secure a tract at the drawing unless they can make a showing satisfactory to the Bureau of Land Management that the acquisition of another tract is warranted in the circumstances.

7. The improvements referred to in paragraph 5 above must conform with health, sanitation, and construction requirements of local ordinances and must, in addition, meet the following standards:

The residence must be suitable for year-round use, on a permanent foundation and with a minimum of 400 square feet of floor space. It must be built in a workmanlike manner out of attractive properly finished materials. Adequate disposal and sanitary facilities must be installed. Conventional concrete foundations or concrete slab foundations are acceptable. Concrete piers are not acceptable as foundations.

8. The land is now open to filing of drawing entry cards (Form 4-775) only by persons entitled to veterans' preference. In brief, persons entitled to such preference are (a) honorably discharged veterans who served in the armed forces of the United States for a period of at least 90 days after September 15, 1940, (b) surviving spouse or minor orphan children of such veterans, and (c) with the consent of the veteran, the spouse of living veterans. The 90-day requirement does not aply to veterans who were discharged on account of wounds or disability incurred in the line of duty or the surviving spouse or minor children of veterans killed in the line of duty. Drawing-entry cards (Form 4-775) are available upon request from the Manager, Land Office, 5th Floor Bartlett Building, 215 West Seventh Street, Los Angeles 14, California.

Drawing-entry cards will be accepted if filled out in compliance with the instructions on the form and with the above-named official prior to 10:00 a.m., June 5, 1957, a drawing will be held on that date or shortly thereafter. Any

person who submits more than one card will be declared ineligible to participate in the drawing. Tracts will be assigned to entrants in the order that their names are drawn. All entrants will be notified of the results of the drawing. Successful entrants will be sent copies of the lease forms (Form 4-776), with instructions as to their execution and return and as to payment of fees and rentals.

9. All valid applications filed prior to January 29, 1957, will be granted the preference right provided for by 43 CFR

257.5 (a). 10. Inquiries concerning this land shall be addressed to Manager, Land Office, 5th Floor Bartlett Building, 215 West Seventh Street, Los Angeles 14, California.

R. G. SPORLEDER, Officer in Charge. Southern Field Group, Los Angeles, California.

[F. R. Doc. 57-877; Filed, Feb. 5, 1957; 8:49 a. m.]

[Document 17]

CALIFORNIA

RESTORATION ORDER UNDER FEDERAL POWER ACT

Correction

In Federal Register Document 57-187, published at page 224 of the issue for Thursday, January 10, 1957, the table under paragraph 1 is corrected as follows: The entry for DA-885, under the column headed "Type of restoration", should read "Under applicable public land laws."

#### CALIFORNIA

SMALL TRACT CLASSIFICATION ORDER, CALIFORNIA NO. 506

Correction

In Federal Register Document 57-218, published at page 245 of the issue for Friday, January 11, 1957, the land description under paragraph 1 is corrected as follows: Under "T. 33 N., R. 9 W.", sec. 17 should read: "Sec. 17, NW1/4, N%NE4, SW4NE4, N%N%SW4".

#### DEPARTMENT OF COMMERCE

Federal Maritime Board

STONE FORWARDING CO., INC., AND H. S. THIELEN

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U.S.C. 814.

Agreement No. 8199 between Stone Forwarding Co., Inc., Houston, Texas, and H. S. Thielen, Lake Charles, Louisiana, is a cooperative working arrangement between the parties under which they perform freight forwarding services for each other.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, Written statements with reference to the agreement, and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: January 31, 1957.

By order of the Federal Maritime Board.

[SEAL]

GEORGE A. VIEHMANN, Assistant Secretary.

[F. R. Doc. 57-846; Filed, Feb. 5, 1957; 8:45 a. m.]

#### DEPARTMENT OF DEFENSE

#### Department of the Army

HARRY S. ROBINSON

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) of the Defense Production Act of 1950, as amended, and Executive Order No. 10647 of November 28, 1955, the following changes have taken place as of 24 January 1957 in my financial interests as reported in the FEDERAL REGISTER, August 25, 1956.

A. Deletions: Hamilton-Ferro Company, Cincinnati, Ohio as Director and Stockholder. B. Additions: None.

Dated: January 24, 1957.

HARRY S. ROBINSON.

[F. R. Doc. 57-844; -Filed, Feb. 5, 1957; 8:45 a. m.]

#### CLAUDE S. LAWSON

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) of the Defense Production Act of 1950, as amended, and Executive Order No. 10647 of November 28, 1955, the following changes have taken place as of January 25, 1957, in my financial interests as reported in the FEDERAL REGISTER, August 25, 1956.

A. Deletions: Servo Mechanism-Stockholder.

B. Additions: No change.

Dated: January 25, 1957.

C. S. LAWSON.

[F. R. Doc. 57-845; Filed, Feb. 5, 1957; 8:45 a. m.1

#### ATOMIC ENERGY COMMISSION

[Docket No. F-32]

AEROJET-GENERAL NUCLEONICS

NOTICE OF PROPOSED ISSUANCE OF CONSTRUCTION PERMIT

Please take notice that the Atomic Energy Commission proposes to issue the construction permit set forth below unless within 15 days after the publication of this notice in the Federal Register a request for a formal hearing is filed with the Commission in the manner prescribed by § 2.102 (b) of the Commission's rules of practice (10 CFR Part 2). There is annexed a memorandum submitted by the Division of Civilian Application which summarizes the principal features of the proposed reactor and the principal factors considered in reviewing the application for a license. For further details see the application for license at the Commission's Public Document Room, 1717 H Street NW., Washington, D. C.

Notice is also hereby given that if the Commission issues the construction permit the Commission may without further prior public notice convert the construction permit to Class 104 licenses authorizing operation of the reactors if it is found that the reactors have been constructed in accordance with the specifications contained in the application, as amended, and in conformity with the provisions of the act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission that the granting of such licenses would not be in accordance with the provisions of the act. Such licenses would be substantially similar to license R-6 issued to Aerojet-General Nucleonics on October 19, 1956, authorizing operation of the AGN-201 reactor which has been designated as Serial No.

Construction permit. Aerojet-General Nucleonics, San Ramon, California, (hereinafter "AGN") on September 11, 1956, filed an application, Docket No. F-32, for Class 104 licenses, defined in \$50.21 of Part 50, Title 10, Chapter I, CFR, to construct and operate three nuclear reactors designated as Model AGN-201, serial numbers 101, 102 and 103. Supplements to the application were filed on October 2, 1956, December 3, 1956 and January 14, 1957. The three reactors will be designated herein as "the reactors."

Based on the information submitted by AGN in its application and supplements thereto, the Atomic Energy Commission "the Commission") (hereinafter found that-

A. The reactors will be utilization facilities as defined in the Commission's regulations contained in Title 10. Chapter I, CFR, Part 50, "Licensing of Production and Utilization Facilities."

B. The reactors will be useful in the conduct of research and development activities of the types specified in section 31 of the Atomic Energy Act of 1954.

C. AGN is financially qualified to construct and operate the reactors in accordance with the regulations contained in Title 10, Chapter I, CFR.

D. AGN is technically qualified to design and construct the reactors.

E. AGN has submitted sufficient information to provide reasonable assurance that the reactors can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

F. The issuance of a construction permit to AGN will not be inimical to the common defense and security and to the health and safety of the public.

Pursuant to the Atomic Energy Act of 1954 and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," the Commission hereby issues a construction permit to AGN to construct the reactors as utilization facilities. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Atomic Energy Act of 1954 and rules, regulations and orders of the Atomic Energy Commission now or hereafter in effect; and is subject to any additional conditions specified or incorporated below.

1. The earliest and latest completion dates of each reactor shall be as set forth below. The term "completion date" as used herein means the date on which construction of the reactor is completed except for introduction of the fuel material.

AGN Serial No.; Earliest Completion Date; Latest Completion Date

- 101; February 20, 1957; June 15, 1957.
- 102; February 20, 1957; June 15, 1957. 103; February 20, 1957; June 15, 1957.
- 2. The site proposed for the location of the reactors is the location in San Ramon, Contra Costa County, California, specified in the "Reactor Hazards Evaluation Report and Site Survey for the AGN-201 Nuclear Reactor" submitted by AGN in conjunction with Docket No. F-15.
- 3. The reactors are self-contained research reactors designed to operate at a power level of 100 milliwatts, using uranium enriched in the isotope uranium 235 as fuel, and designated as AGN-201. The reactors shall be constructed in accordance with the design set forth in the application and documents incorporated therein by reference.

Upon completion (as provided in Paragraph "1" above) of the construction of each facility in accordance with the terms and conditions of this permit, upon the filing of any additional information needed to bring the original application up to date, and upon finding that the facility authorized has been constructed in conformity with the application as amended and in conformity with the provisions of the act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the act, the Commission will issue a Class 104 license to AGN pursuant to section 104c of the act, which license shall expire 20 years after the date of this construction permit. Separate licenses may be issued upon the completion of each reactor. construction of which is authorized herein.

Dated at Washington, D. C., 'this 1st day of February 1957.

For the Atomic Energy Commission.

Frank K. Pittman, Acting Director, Division of Civilian Application.

#### MEMORANDUM

PART I-DESCRIPTION OF THE PROPOSED REACTORS

The AGN-201 reactor is a small research reactor designed to operate at a maximum power of 100 milliwatts and corresponding flux of about  $4.5\times10^{\circ}$  neutrons per square cm. per sec. The excess reactivity will be limited to 0.19 percent which would yield a minimum period of 15 seconds. The temperature coefficient of reactivity is calculated to be  $-3.6\times10^{-4}$  per ° C.

The core of the reactor will consist of UO, embedded in radiation stabilized polyethylene which serves as the moderator. The uranium is enriched 20 percent in the isotope U-235 and the critical mass will be between 550 and 700 g. U-235. The core will be made up of a series of discs, about 10" dia. and of varying thickness. The top section of the core will contain approximately half of the fuel. There will be a space at the top for core expansion and fission product gas accumulation. The bottom section contains the remaining fuel discs. It is held in place by a supporting mechanism hanging from the fuse link described below. In addition, the bottom section contains the safety and control rod thimbles. The core, including part of the graphite reflector, is enclosed in an aluminum tank which serves as the primary gas-tight container.

The reflector is 20 cm. of high-density graphits on all sides of the core. Holes are provided for safety and control rods, glory hole and the four access ports. The core and reflector are surrounded by a 10 cm. lead shield. Over the top lead shield is a tank which may be filled with water for shielding or with graphite when a thermal column is desired. All of the above components are enclosed in a steel tank which serves as a secondary gas-tight container.

The steel tank is surrounded on all sides by a fast neutron water shield tank which contains boric acid dissolved in water.

There are two safety rods and two control rods. The rods are made of the same UO<sub>2</sub> impregnated polyethylene as used in the core. Thus, reactivity is increased as the rods are inserted into the core. The two safety rods and the coarse control rod when fully loaded control about 1.6 percent reactivity each. The reactivity may be reduced by replacing some of the fuel discs with pure polyethylene discs. The rods are inserted one at a time at the rate of 0.46 cm/sec., corresponding to a reactivity change 3×10-1 per second for each safety rod and the coarse control rod. The fine control rod may be driven in at a slower speed.

The safety system is "fail-safe," in that a. scram signal or power failure will open the holding magnets allowing the safety and coarse control rods to be accelerated downward and out of the core by both gravity and spring loading. The total withdrawal time is 150 milliseconds. The fine control rod is designed to control too little reactivity to be of practical value in a scram; consequently on receipt of a scram signal it is driven out of the core by its DC reversible motor at the rate of 0.46 cm/sec. When the reactor is shut down all rods are out of the core. Interlocks prevent locking of the safety rods unless the control rods are down, and the control rods cannot be moved in unless the safety rods are cocked (completely inserted in the core).

The fuse is an additional safety feature consisting of polystyrene impregnated with twice as much U-235 per unit volume as the core contains. It supports the bottom half of the reactor core and a section of the reflector. The higher loading density results in a higher rate of heat generation in the fuse than in the core, so that in the event of a power excursion the fuse will melt

causing the lower part of the core to drop to

the bottom of the core tank.

This separation of the core results in a reduction in reactivity of from 5 to 10 per cent.

The instrumentation comprises three neutron sensitive monitors (two linear and one logarithmic) determining power and flux levels and the period. Sensitrol relays have low and high-level scram contacts which require that the monitors respond to the Ra-Be startup neutron source before the reactor can be put into operation, and which will scram the reactor any time the associated monitors fail to detect neutrons. The logarithmic monitor is equipped with a differentiating circuit; if the period is less than about three seconds, a fourth Sensitrol relay is tripped, scramming the reactor. The reactor is equipped with an earthquake scram assembly. Scrams also result from low water level, low water temperature or power faillure.

The core and reactor tanks will be tested prior to loading for adequate gas-tightness by the halogen-type leak detecting method.

#### PART II-HAZARDS EVALUATION

The AGN-201 reactor operates at 100 milliwatts. Consequently, there will be an insignificant inventory of fission products in the reactor. Substantially all of the fir-ion products that are produced will be retained in the solid core materials even in the event of the accident described below. However, some of the gaseous fission products may diffuse out of the UO.-polyethylene matrix, but these will be retained in the sealed aluminum primary container which, in turn, is surrounded by the steel secondary container.

The temperature coefficient of reactivity was calculated by the applicant to be  $-3.6\times10^{-4}\,\mathrm{per}$ °C. They also calculated that heat would flow rapidly from the UO<sub>2</sub> particles into the polyethylene. If 2 percent reactivity were inserted instantaneously (which seems impossible since only 0.2 percent is ever available above cold clean critical) into the reactor, it is stated by the applicant that the period would be about 10 milliseconds. These calculations are reasonable for a reactor of this design.

The applicant's calculations further show that the resultant power excursion of 1.7 MW-seconds would be terminated in about 204 milliseconds and would be self-limiting because of core expansion due to temperature rise. The temperature would rise about 110° C. at the center of the core, and the average temperature of the core would rise about 71° C. Polyethylene does not melt below 200° C. We agree that such a postulated accident is unlikely, and that in the event of such an accident, it is expected that the fission products would be kept within the core and primary and secondary containers.

The safety features of the control system and instrumentation, including the safety fuse system, are designed to shut down the reactor in the event of malfunction of equipment or personnel error.

We agree with the applicant's statement that normally, personnel next to the reactor (operating at 100 milliwatts) will receive a maximum gamma dose of about 0.2 millirem per hour or 8 mr/week. Even in the event of the highly improbable 1.7 MW-second accident described above, the total dose to a person standing next to the reactor would be about 1 rem.

For an extreme case such as a combined scram circuit failure, loss of shield water and the 1.7 MW-second excursion, a person next to the reactor would receive an exposure of about 200-300 rem of fast neutrons. Although an exposure of this magnitude

would be received, this accident is due to the compounding of so many very slightly probable events that it is, in our opinion, barely conceivable. In view of these considerations we believe that the reactor should present no unacceptable hazard to operating personnel or to the public either during normal operation or during a conceivable accident.

Summary. Important safety features of the reactor include the low power (100 milliwatts) of the reactor and insignificant fission product inventory, the small (0.19 percent) excess reactivity, strong negative temperature coeficient (-3.6×10-4), adequate containment, well-planned control system and instrumentation, and acceptable hazards relative to the maximum credible accident.

It may be concluded that there is reasonable assurance that the AGN-201 reactor as designed can be constructed and operated at the proposed San Ramon, California, site without undue risk to the health and safety of the public.

In arriving at this conclusion, cognizance has been taken of the fact that an AGN Model 201 reactor, Serial No. 100, has been operated without incident by AGN pursuant to License R-6 issued October 19, 1956.

Operational tests on this reactor have proven the validity of preliminary calculations, shown that the control mechanisms function as described, and that the shielding attenuates the radiation from the core to within the tolerance set out in 10 CFR Part 20.

#### TECHNICAL QUALIFICATIONS

AGN has expanded its technical staff from that available to it at the time of its application in Docket No. F-15 for authorization to construct the AGN-201 reactor presently operated by it pursuant to License R-6. It now employs over forty personnel including some eighteen with technical degrees, one being a PhD and eleven others having Masters degrees. Of those having Masters degrees, five have majored in reactor engineering. Eight other of its employees have been trained in reactor engineering.

#### FINANCIAL QUALIFICATIONS OF APPLICANT

AGN is a subsidiary of Aerojet-General Corporation (AGC) which in turn is a subsidiary of The General Tire & Rubber Company. AGC has assumed financial responsibility for the production of the three AGN-201 type nuclear reactors, serial numbers 101, 102 and 103. Upon the basis of the evidence in these proceedings, including the assumption of financial responsibility by AGC, it has been concluded that AGN is financially qualified to carry out the proposed activities in accordance with the requirements of the Commission regulations.

#### PART V-CONCLUSIONS

Based on the above considerations, it is concluded that-

a. There is reasonable assurance that the facilities proposed can be constructed and operated at the proposed site without undue risk to the health and safety of the public.

b. The applicant is technically and financially qualified to engage in the proposed activities:

Dated at Washington, D. C., this 1st day of February 1957.

For the Division of Civilian Application.

FRANK K. PITTMAN, Acting Director.

[F. R. Doc. 57-883; Filed, Feb. 5, 1957; 8:51 a. m.]

[Docket No. F-35] AMF ATOMICS, INC.

NOTICE OF ISSUANCE OF FACILITY EXPORT LICENSE

Please take notice that the Atomic Energy Commission on February 1, 1957, issued a license to AMF Atomics, Inc., New York, New York, authorizing the export of a 10-kilowatt pool-type demonstration reactor to the Ministry of Education, Kingdom of the Netherlands, to be erected at the International Exhibition "Het Atoom", Amsterdam.

Dated at Washington, D. C., this 1st day of February 1957.

For the Atomic Energy Commission.

FRANK K. PITTMAN, Acting Director, Division of Civilian Application.

[F. R. Doc. 57-884; Filed, Feb. 5, 1957; 8:51 a. m.]

#### FEDERAL POWER COMMISSION

[Docket No. G-11848]

COLORADO-WYOMING GAS CO.

ORDER SUSPENDING PROPOSED REVISED TARIFF SHEETS AND PROVIDING HEARING

On January 2, 1957, Colorado-Wyo-ming Gas Company (Colorado-Wyoming) tendered for filing Sixth Revised Sheet No. 4 and Fifth Revised Sheet No. 71 of Colorado-Wyoming's FPC Gas Tariff, Original Volume No. 1, and proposed an effective date of February 1, 1957, for such proposed changes in its tariff which would increase its rates on jurisdictional business in the amount of approximately \$783,000.

In support of such proposed increased rates, Colorado-Wyoming states, among other reasons, that it purchases 99 percent of its gas from Colorado Interstate Gas Company, which, on December 17, 1956, filed a proposed increase in rates which will materially affect Colorado-Wyoming's cost of gas. This item alone is represented to constitute more than three-fourths of Colorado-Wyoming's entire cost of service. In addition, Colorado-Wyoming states that it has sustained an increase in material and labor costs, as well as an increase in cost of The statistical support submoney. mitted by Colorado-Wyoming reflects the incurrence of additional debt during 1956 of \$950,000, at 4 percent interest, owing to Public Service Company of Colorado, which owns 100 percent of the stock of Colorado-Wyoming. Approximately 86 percent of total jurisdictional sales of gas made by Colorado-Wyoming are to Public Service Company of Colorado and another subsidiary of the latter, Cheyenne Light, Fuel and Power Company, Cheyenne, Wyoming.

Colorado-Wyoming requests the allowance of a 634 percent rate of return but adds that: "If it becomes necessary to take a position relative to rate of return in any hearings in respect of this matter, \* \* \* (Colorado-Wyoming) respectfully reserves the right to request and support a higher figure." In addition to the fore-

going items, Colorado-Wyoming proposes changes in previously adopted methods of determining cost allocation, working capital, plant account and depreciation.

The increased rates and charges proposed in Sixth Revised Sheet No. 4 and Fifth Revised Sheet No. 7 of Colorado-Wyoming's FPC Gas Tariff have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of such act, concerning the lawfulness of the rates, charges, classifications, and services of Colorado-Wyoming's FPC Gas Tariffs and contracts related thereto, as proposed to be amended by Sixth Revised Sheet No. 4 and Fifth Revised Sheet No. 7, and that said proposed Sixth Revised Sheet No. 4 be suspended as hereinafter ordered and the use thereof be deferred pending hearing and decision thereon, except as they may become effective as provided by the Natural Gas Act.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act, a public hearing be held. at a date later to be designated by notice from the Secretary of the Commission, in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the lawfulness of the rates, charges, classifications, and services contained in Colorado-Wyoming Gas Company's FPC Gas Tariffs, and contracts related thereto, as proposed to be amended by Sixth Revised Sheet No. 4 and Fifth Revised Sheet No. 7.

(B) Pending such hearing and decision thereon, Colorado-Wyoming Gas Company's proposed Sixth Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1, is hereby suspended and the use thereof deferred until July 1, 1957, and until such further time as it may be made effective in the manner prescribed

by the Natural Gas Act.

(C) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and . procedure.

Issued: January 31, 1957.

By the Commission. .

LEON M. FUQUAY, Secretary.

[F. R. Doc. 57-847; Filed, Feb. 5, 1957; 8:45 a. m.]

[Docket No. G-11851]

WARREN PETROLEUM CORP. ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Warren Petroleum Corporation (Operator) et al., (Warren) on December 31. 1956, submitted for filing a proposed change in rate schedule for a sale of natural gas, subject to the jurisdiction the Commission. The proposed

<sup>&</sup>lt;sup>1</sup> Special interruptible industrial service.

change is contained in the following filing:

Description: Notice of change dated December 27, 1956.

Purchaser: Mississippi River Fuel Corporation.

Rate schedule designation: Supplement No. 6 to Warren's FPC Gas Rate Schedule No. 1.

Effective date: 1 January 31, 1957.

In support of the increased rate, Warren states that the increase is a result of arms length bargaining; it is an inseparable part of the contract and is necessary to protect the sellers against the diminishing purchasing power of the dollar. Warren also submitted two costs of service studies for the year ended June 30, 1956, including a 9 percent return. One study excludes the gas volumes and costs attributable to royalty interest and the other study includes royalty volumes and costs.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise

unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred, as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary, concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to Warren's FPC Gas Rate Schedule No. 1; and, pending such hearing and decision thereon, said supplement be, and it is hereby suspended, and the use thereof deferred until February 1, 1957 and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested state commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Issued: January 30, 1957.

By the Commission.2

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 57-848; Filed, Feb. 5, 1957; 8:45 a. m.]

[Docket No. G-10396 etc.]

American Louisiana Pipe Line Co. et al.

#### ORDER RECONVENING HEARING

In the matters of American Louisiana Pipe Line Company, Docket No. G-10396; Gulf Refining Company, Docket No. G-10400; Panhandle Eastern Pipe Line Company, Docket No. G-11061.

The hearing in the above matters was recessed by the Presiding Examiner on November 16, 1956, to a date to be fixed by further order of the Commission.

The Commission finds: It is appropriate in carrying out the provisions of the Natural, Gas Act that the public hearing in the above proceedings heretofore recessed on November 16, 1956, be reconvened at the time and place hereinafter ordered.

The Commission orders: The public hearing in these proceedings be reconvened on February 19, 1957, at 10:00 a.m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

Issued: January 31, 1957.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 57-849; Filed, Feb. 5, 1957; 8:45 a. m.]

#### [Docket No. G-11849]

PHILLIPS PETROLEUM CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Phillips Petroleum Company (Phillips) on January 3, 1957, tendered for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated January 2, 1957.

Purchaser: Permian Basin Pipe Line Company.

Rate schedule designation: Supplement No. 21 to Phillips' FPC Gas Rate Schedule No. 18. Effective Date: <sup>1</sup> February 8, 1957.

In support of the proposed increase, Phillips states that it is part of the arms length bargained-for contract, and that it is unfair to deny the proposed increase during the later life of the gas sales contract after having previously delivered gas at an earlier lower price. Phillips further states that it has an overall deficiency in revenues from gas sales operations and that only by the procedure of applications for increases in rates, in accordance with the Mobile case, 350 U. S. 332, can this deficiency be overcome.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

- (A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until July 8, 1957, and until such further time as it is made effective in the manner presented by the Natural Gas Act.
- (B) Neither the supplement hereby suspended nor the rate schedule sought to be altered shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission
- (C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Issued: January 31, 1957.

By the Commission.2

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 57-850; Filed, Feb. 5, 1957; 8:45 a. m.]

[Docket No. G-11844] ATLANTIC REFINING CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

The Atlantic Refining Company (Atlantic), on January 2, 1957, tendered for filing a proposed change in its presently effective rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change dated Janu-

ary 2, 1957.
Purchaser: Texas Gas Transmission Corporation.

Rate schedule designation: Supplement No. 6 to Atlantic's FPC Gas Rate Schedule No. 57.

Effective date: <sup>1</sup> February 15, 1957.

Atlantic's proposed rate change is based on a favored-nations clause in its contract with Texas Gas which, by its terms, would be operative on the date on which Union Oil and Gas Corporation of Louisiana commences collection of increased rates under its contract with

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Warren, if later.

<sup>&</sup>lt;sup>2</sup> Commissioner Digby dissenting.

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Phillips, if later.

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Atlantic, if later.

Texas Gas (see order issued December 7, 1956, in Docket No. G-11563 which suspends Union's proposed increase to February 15, 1957, and thereafter until made effective in accordance with the Natural Gas Act). Atlantic urges that, if its proposed increase is suspended, that the suspension period be less than the permissible period of five months.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or other-

wise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

- (A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations thereunder (18 CFR, Chapter 1), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed increased rate and charge; and, pending such hearing and decision thereon, the above-designated supplement be and it is hereby suspended and the use thereof deferred until July 15, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.
- (B) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.
- (C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Issued: January 31, 1957.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 57-851; Filed, Feb. 5, 1957; 8:45 a. m.1

[Docket No. G-11845]

SUPERIOR OIL CO. ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Superior Oil Company (Operator). et al. (Superior), on January 7, 1957, tendered for filing a proposed change in its presently effective rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an in-crease rate and charge, is contained in the following designated filing:

Description: Notice of Change dated January 4, 1957.

Purchaser: Texas Gas Transmission Corporation.

Rate schedule designation: Supplement No. 6 to Superior's FPC Gas Rate Schedule No. 13. Effective date: 1 February 15, 1957.

Superior's proposed rate change is based on a favored-nations clause in its contract with Texas Gas which, by its terms, will be operative on the date on which Union Oil and Gas Corporation of Louisiana commences collection of increased rates under its contract with Texas Gas (see order issued December 7. 1956, in Docket No. G-11563 which suspends Union's proposed increase from January 1 to February 15, 1957).

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential,

or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be susupended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations thereunder (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed increased rate and charge; and, pending such hearing and decision thereon, the above-designated supplement be and it is hereby suspended and the use thereof deferred until July 15, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the

Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Issued: January 31, 1957.

By the Commission.

[SEAL]

LEON M. FTIOTIAY. Secretary.

[F. R. Doc. 57-852; Filed, Feb. 5, 1957; 8:46 a. m.]

> [Docket No. G-11846] GEORGE C. MCGHEE ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

George C. McGhee (Operator), et al. (McGhee), on January 2, 1957, tendered for filing a proposed change in its presently effective rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change dated January 2, 1957.

Purchaser: Texas Gas Transmission Corporation.

Rate schedule designation: Supplement No. 4 to McGhee's FPC Gas Rate Schedule No. 1.

Effective date: 1 February 2, 1957.

McGhee's proposed rate change is based on a favored-nations clause in its contract with Texas Gas which, by its terms, has purportedly become operative by the rate for a new sale to Texas Gas by Gulf Refining Company of natural gas produced in the South Bell City Field, Calcasieu Parish, Louisiana.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or other-

wise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

- (A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations thereunder (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed increased rate and charge; and pending such hearing and decision thereon, the above-designated supplement be and it is hereby suspended and the use thereof deferred until July 2, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.
- (B) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.
- (C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Issued: January 31, 1957.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 57-853; Filed, Feb. 5, 1957; 8:46 a. m.]

<sup>1</sup> The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Superior, if later.

<sup>1</sup> The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by McGhee, if later.

[Docket No. G-11847]

GULF REFINING CO.

### ORDER SUSPENDING PROPOSED CHANGE IN RATES

. Gulf Refining Company (Gulf), on January 4, 1957, tendered for filing a proposed change in its presently effective rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change dated November 28, 1956.

Purchaser: Texas Gas Transmission Cor-

Rate schedule designation: Supplement No. 5 to Gulf's FPC Gas Rate Schedule No. 8.

Effective date: 1 February 4, 1957.

Gulf's proposed rate change is based on a favored-nations clause in its contract with Texas Gas which by its terms has purportedly become operative by the rate for a new sale to Texas Gas by Gulf Refining Company of natural gas produced in the South Bell City Field, Calcasieu Parish, Louisiana.

The increased rate and charge so proposed has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations thereunder (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed increased rate and charge; and, pending such hearing and decision thereon, the above-designated supplement be and it is hereby suspended and the use thereof deferred until July 4, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of

practice and procedure (18 CFR 1.8 and thority to operate between Los Angeles. San Francisco. Portland, and Seattle and

Issued: January 31, 1957.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 57-854; Filed, Feb. 5, 1957; 8:46 a. m.]

#### CIVIL AERONAUTICS BOARD

[Docket Nos. 8475, 8148]

GREATER BALTIMORE COMMITTEE, INC.

NOTICE OF CHANGE OF DATE OF PREHEARING
CONFERENCE

Notice is hereby given that the date of the Prehearing Conference in the above-entitled investigation heretofore assigned to be held on February 7, 1957, has been changed. The Prehearing Conference will be held on February 15, 1957, at 10:00 a. m., e. s. t., in Conference Room B, Departmental Auditorium, Constitution Avenue between 12th and 14th Streets NW., Washington, D. C., before Examiner Leslie G. Donahue.

Dated at Washington, D. C., February 1, 1957.

[SEAL]

Francis W. Brown, Chief Examiner.

[F. R. Doc. 57-880; Filed, Feb. 5, 1957; 8:50 a. m.]

#### [Docket No. 7725]

NORTHWEST AIRLINES, INC.; NORTHWEST PERMANENT CERTIFICATION CASE

#### NOTICE OF ORAL ARGUMENT

In the matter of the application of Northwest Airlines, Inc., for amendment of its temporary certificate of public convenience and necessity authorizing trans-Pacific operations so as to provide for unlimited duration of said authorization for its operations between Seattle, Portland, Anchorage, and Tokyo.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on February 21, 1957, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building Constitution Avenue, between 14th and 15th Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., January 31, 1957.

[SEAL]

Francis W. Brown, Chief Examiner.

[F. R. Doc. 57-881; Filed, Feb. 5, 1957; 8:50 a.m.]

#### [Docket No. 5031 et al.]

PAN AMERICAN WORLD AIRWAYS, INC.; RE-OPENED TRANS-PACIFIC CERTIFICATE RE-NEWAL CASE

#### NOTICE OF ORAL ARGUMENT

In the matter of the application of Pan American World Airways, Inc., for authority to operate between Los Angeles, San Francisco, Portland, and Seattle and points in the Far East, via the so-called Great Circle Route.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on February 20, 1957, at 10:00 a.m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between 14th and 15th Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., January 31, 1957.

[SEAL]

Francis W. Brown, Chief Examiner.

[F. R. Doc. 57-882; Filed, Feb. 5, 1957; 8:50 a. m.]

# INTERSTATE COMMERCE COMMISSION

[Notice 150]

MOTOR CARRIER APPLICATIONS

FEBRUARY 1, 1957.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto. (Federal Register Volume 21, pages 7339, 7340, § 1.241, September 26, 1956.)

All hearings will be called at 9:30 o'clock a. m., United States standard time, unless otherwise specified.

Applications Assigned for Oral Hearing or Pre-Hearing Conference

#### MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub No. 75), filed November 30, 1956, YOUNGER BROTHERS, INC., P. O. Box 14287, 4904 Griggs Rd., Houston, Tex. Applicant's representative: Ewell H. Muse, Jr., 415 Perry Brooks Bldg., Austin, Tex. For authority to operate as a common carrier, over irregular routes, transporting: Petrocarbon chemicals, including but not limited to isopropyl alcohol and methyl ethyl ketone, in bulk, in tank vehicles, from Baton Rouge, La. and Good Hope, La. and points within ten (10) miles of each, to points in Texas. Applicant is authorized to transport petroleum and petroleum products in Texas, Louisiana, and Arkansas.

HEARING: March 27, 1957, at the Baker Hotel, Dallas, Tex., before Joint Board No. 32.

No. MC 531 (Sub No. 76) (Revision), filed November 30, 1956, published at page 324 of the Federal Register issue of January 16, 1957. YOUNGER BROTHERS, INC., P. O. Box 14287, 4904 Griggs Rd., Houston, Tex. Applicant's representative: Ewell H. Muse, Jr., 415 Perry Brooks Bldg., Austin, Tex. For authority to operate as a common carrier, over irregular routes, transporting: Drilling fluids, in vacuum tank vehicles,

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Gulf, if later.

NOTICES

between points in New Mexico, Colorado, Utah, and Arizona. The revision herein deletes from the previous notice that portion of the description of the manner in which the commodities sought are proposed to be transported, reading: "requiring the use of vacuum tank equipment.

HEARING: Remains as assigned February 26, 1957, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Examiner James C. Cheseldine.

No. MC 2229 (Sub No. 82), filed December 3, 1956, RED BALL MOTOR FREIGHT, INC., 1210 South Lamar Street, Dallas, Tex. Applicant's representative: Reagan Sayers, Century Life Bldg., Fort Worth 2, Tex. For authority to operate as a common carrier, over a regular route, transporting: General commodities, including Class A and B explosives, but excluding articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Houston, Tex., and Port Arthur, Tex., over Texas Highway 73, serving no intermediate points, as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations (a) between Beaumont, Tex., and Houston, Tex., over U.S. Highway 90, and (b) between Beaumont, Tex., and Port Arthur, Tex., over U. S. Highway 69 and Texas Highway 347. Applicant is authorized to conduct operations in Arkansas, Louisiana, and Texas.

HEARING: March 22, 1957, at the Baker Hotel, Dallas, Tex., before Joint

Board No. 77.

No. MC 2229 (Sub No. 83), filed December 3 1956, RED BALL MOTOR INC., 1210 South Lamar FREIGHT. Street, Dallas, Tex. Applicant's representative: Reagan Sayers, Century Life Bldg., Fort Worth 2, Tex. For authority to operate as a common carrier, over a regular route, transporting: General commodities, including Class A and B explosives, but excluding articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Silsbee, Tex., and junction U.S. Highway 69 and Texas Highway 327, over Texas Highway 327, serving no intermediate points, as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations (a) between Beaumont, Tex., and Tenaha, Tex., over U.S. Highway 96, and (b) between Lufkin Tex., and junction U.S. Highways 69 and 96, over U.S. Highway 69. Applicant is authorized to conduct operations in Arkansas, Louisiana, and Texas.

HEARING: March 26, 1957, at the Baker Hotel, Dallas, Tex., before Joint Board No. 77.

No. MC 2986 (Sub No. 18), filed January 11, 1957, INDIANAPOLIS SOUTHERN MOTOR EXPRESS, IN-CORPORATED, P. O. Box 491, Vincennes, Ind. Applicant's representative: Ferdinand Born, 708 Chamber of Commerce Bldg., Indianapolis 4, Ind. For authority commodities, except those of unusual U.S. Highway 40. Applicant is author-

value. Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Terre Haute, Ind., and junction Indiana Highway 48 and U.S. Highway 41, near Shelburn, Ind., from Terre Haute over Indiana Highway 63 to junction Indiana Highway 48, thence over Indiana Highway 48 to junction U.S. Highway 41, and return over the same route, serving all intermediate points, including Fairbanks, Ind., and points within eight (8) miles of Fairbanks, Ind., as intermediate or off-route points, including but not limited to the plant site of the Indiana-Michigan Electric Company, located west of Fairbanks, Ind., and the properties of the Ayrshire Collieries Corporation, located in Curry Township of Sullivan County, Ind. Applicant is authorized to conduct operations in Illinois, Indiana, and Ohio.

Note: Applicant proposes to serve junction Indiana Highway 48 and U.S. Highway 41 as a point of joinder only.

HEARING: February 26, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Joint Board No. 72.

No. MC 9942 (Sub No. 11), filed January 28, 1957, HALL FREIGHT LINES, INC., 12-18 College Street, Danville, Ill. Applicant's representative: Ferdinand Born, 708 Chamber of Commerce Bldg., Indianapolis 4, Ind. For authority to operate as a common carrier, over a regular route, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Terre Haute, Ind., and Fairbanks, Ind., over Indiana Highway 63, serving the plant site of the Indiana-Michigan Electric Company located west of Fairbanks, Ind., and the Properties of the Ayrshire Collieries Corporation located in Curry Township, Sullivan County, Ind., as offroute points. Applicant is authorized to conduct operations in Illinois, Indiana, and Wisconsin.

HEARING: February 26, 1957, at the U. S. Court Rooms, Indianapolis, Ind.,

before Joint Board No. 72.

No. MC 10761 (Sub No. 64), filed January 22, 1957, TRANSAMERICAN FREIGHT LINES, INC., 1700 N. Waterman Ave., Detroit 9. Mich. Applicant's representative: Howell Ellis, 520 Illinois Bldg., Indianapolis, Ind. For authority to operate as a common carrier, transporting: General commodities, except those of unusual-value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Indiana-Michigan Electric Company plant, located on the Wabash River approximately four (4) miles west of Indiana Highway 63, and points within the properties of Ayrshire Collieries Corporation, located in Curry Township, Sullivan County, Ind., as offroute points in connection with applicant's authorized regular route operations (1) between St. Louis, Mo., and to operate as a common carrier, over a Indianapolis, Ind., and (2) between St. regular route, transporting: General Louis, Mo., and Cleveland, Ohio, over

ized to conduct operations in Connecticut, Illinois, Indiana, Iowa, Kentucky, Massachusetts, Michigan, Minnesota, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Wisconsin.

HEARING: February 26, 1957, at the U. S. Court Rooms, Indianapolis, Ind.,

before Joint Board No. 72.

No. MC 24211 (Sub No. 6), (Amended) filed January 9, 1957, published in Fed-ERAL REGISTER issue of January 30, 1957, AL SCANNAVINO, doing business as AL SCANNAVINO TRUCKING CO., 5463 Cherokee Lane, Stockton, Calif. Applicant's representative: Edward M. Berol, 100 Bush Street, San-Francisco 4, Calif. For authority to operate as a common carrier, over irregular routes, transporting: Cottonseed cake and cottonseed pellets, from Kingsburg and Corcoran, Calif., to points in Nevada. Applicant is authorized to transport grain and beans, feed, and wine, between specified points in California.

HEARING: Remains as assigned March 25, 1957, in Room 226, Old Mint Bldg., Fifth and Mission Sts., San Francisco, Calif., before Joint Board No. 78.

No. MC 30319 (Sub No. 76), filed November 1, 1956, SOUTHERN PACIFIC TRANSPORT COMPANY, a corporation, 810 North San Jacinto St., P. O. Box 4054, Houston, Tex. Applicant's representative: G. D. Clark, P. O. Box 4054. Houston, Tex. For authority to operate as a common carrier, over regular routes, transporting: General commodities, including air freight having a prior or subsequent movement by air, but excluding articles of unusual value. Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Corsicana, Tex., and Palestine, Tex., over U.S. Highway 287, serving the intermediate points of Tennessee Colony and Cayuga, Tex.; (2) between Tennessee Colony, Tex., and Athens, Tex., from Tennessee Colony over Farm-to-Market Road 321 to junction Texas Highway 19 at Montalba, Tex.. thence over Texas Highway 19 to Athens, and return over the same route, serving the intermediate point of Montalba, Tex.; and (3) between Montalba, Tex., and Palestine, Tex., over Texas Highway 19, serving no intermediate points. Applicant is authorized to conduct operations in Louisiana and Texas.

Note: Applicant states that it is presently rendering service to and from the termini of Corsicana, Palestine and Athens, Tex., and it is not the desire or intent of applicant to serve any new or additional points except the three intermediate small communities of Tennessee Colony, Cayuga, and Montalba, Tex., all of which are off-rail.

HEARING: March 18, 1957, at the Baker Hotel, Dallas, Tex., before Joint Board No. 77.

No. MC 35628 (Sub No. 202), filed January 22, 1957, INTERSTATE MOTOR FREIGHT SYSTEM, a Corporation, 134 Grandville, S. W., Grand Rapids, Mich. Applicant's representative: Leonard D. Verdier, Jr., Michigan Trust Bldg., Grand Rapids 2, Mich. For authority to operate as a common carrier, transporting: General commodities, except those

of unusual value, livestock, Class A and B explosives, household goods as defined by the Commission, commodities in bulk (except scrap metal in bulk), and those requiring special equipment, serving the site of the Clayton & Lambert Manufacturing Company plant located near Buckner, Ky., as an off-route point in connection with applicant's authorized regular route operations to and from

Louisville, Ky.

HEARING: March 6, 1957, at the Department of Motor Transportation, State
Office Bldg., Frankfort, Ky., before Joint

Board No. 105.

No. MC 35628 (Sub No. 203), filed January 22, 1957, INTERSTATE MOTOR FREIGHT SYSTEM, a Corporation, 134 Grandville, S. W., Grand Rapids, Mich. Applicant's representative: Leonard D. Verdier, Jr., Michigan Trust Bldg., Grand Rapids 2, Mich. For authority to operate as a common carrier, over a regular route, transporting: General commodities, except those of unusual value, livestock, Class A and B explosives, household goods as defined by the Commission, commodities in bulk (except scrap metal in bulk), and those requiring special equipment, between Terre Haute, Ind. and junction Indiana Highway 48 and U. S. Highway 41: from Terre Haute over Indiana Highway 63 to junction with Indiana Highway 48, thence over Indiana Highway 48 to junction with U. S. Highway 41, and return over the same route, serving the intermediate point of Fairbanks, Ind., and points within 8 miles of Fairbanks as off-route points. Applicant is authorized to conduct operations in Illinois, Iowa, Kentucky, Indiana, Michigan, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, West Virginia. Wisconsin, and the District of Columbia.

HEARING: February 26, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Joint Board No. 72.
No. MC 41432 (Sub No. 73), filed De-

cember 31, 1956, FAST TEXAS MOTOR FREIGHT LINES, a Corporation, 623 North Washington Street, Dallas 10, Tex. Applicant's representative: Rollo E. Kidwell, 305 Empire Bank Bldg., Dallas 1, Tex. For authority to operate as a common carrier, transporting: Ammunition, (explosives, incendiary, or gas, smoke or tear producing), also manufactured, ingredients and component parts of ammunition, and general commodities except those of unusual value and except Class A and B explosives (other than ammunition as specified above), and except livestock, rock, gravel, sand, household goods as defined by the Commission,

goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Houston, Tex., and Port Arthur, Tex., over Texas Highway 73, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between Beaumont, Tex., and Houston, Tex.; between Houston, Tex., and New Boston, Tex.; and between Fort Worth, Tex., and Port Arthur, Tex. Applicant is authorized to transport similar commodities in Arkan-

sas, Illinois, Missouri, Tennessee, and

Texas.

HEARING: March 22, 1957, at the Baker Hotel, Dallas, Tex., before Joint Board No. 77.

No. MC 95540 (Sub No. 285), filed January 22, 1957, WATKINS MOTOR LINES, INC., Cassidy Road, P. O. Box 785, Thomasville, Ga. Applicant's representative: Joseph H. Blackshear, Gainesville, Ga. For authority to operate as a common carrier, over irregular routes, transporting: Meats, meat products, meat by-products, dairy products, and articles distributed by meat packing houses, as defined by the Commission, from Moultrie and Thomasville, Ga., to points in Virginia. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: March 27, 1957, at the Peachtree-Seventh Bldg., 50 Seventh St., N. E., Atlanta, Ga., before Examiner Richard Yardley.

No. MC 109761 (Sub No. 7), (Correction 1 and Amendment 2), CARL SUB-LER TRUCKING, INC., 906 Magnolia Ave., Auburndale, Fla., published page 9085, issue of November 21, 1956, and republished page 9621, issue of December 5. 1956. That part of the notice of filing pertaining to the commodities sought to be transported was not clear due to typographical error. Also, since such notice the application was amended. Correctly stated and as amended this portion reads: For authority to operate as a contract carrier, over irregular routes, transporting: Meats and sausage, cooked, cured, or preserved, with or without cereals or vegetable ingredients, in packages, cans, or glass in boxes; soups, canned or in packages, and gelatin and animal fat shortening in cans, packages, barrels, or drums, none of which move under refrigeration, from Austin, Minn. and Owatonna, Minn. and points within ten miles of each, to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee; empty containers or other such incidental facilities (not specified) used in transporting the above-named commodities on return. Hearing on the application as republished was held on January 8, 1957. This further publication necessary to give notice of the authority sought as amended. Any interested party may by appropriate petition request a further hearing within thirty (30) days from the date of this publication.

No. MC 110315 (Sub No. 4), filed January 18, 1957, FELTS TRANSPORT CORPORATION, P. O. Box 69, Galax, Va. Applicant's representative: Harold G. Hernly, 1624 Eye Street NW., Washington 6, D. C. For authority to operate as a common carrier, over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from Hugheston, W. Va. to points in Alleghany, Tazewell, Giles, Washington, Russell, Smyth, Montgomery, and Roa-

noke Counties, Va. Applicant is authorized to transport the named commodities from Friendship, N. C. and Charleston and Boomer, W. Va. to Peterstown, W. Va. and specified counties in Virginia.

HEARING: March 12, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Joint Board No. 245.

No. MC 111159 (Sub No. 34) correction, MILLER PETROLEUM TRANS-PORTERS, LTD., Jackson, Miss. Applicant's representative: Phineas Stevens, Suite 900 Milner Bldg., P. O. Box 141, Jackson, Miss. That portion of the notice of filing published at page 331 of the FEDERAL REGISTER issue of January 16. 1957, reading: Sterling, La., was in error. The correct name of the town proposed to be served is; Sterlington, La.

HEARING: Remains assigned February 25, 1957, at the Robert E. Lee Hotel, Jackson, Miss., before Examiner Robert A. Joyner.

No. MC 114737 (Sub No. 4), filed November 1, 1956, O. A. WOODY, doing business as O. & A. FILM LINES, 1310 Avenue G, Lubbock, Tex. Applicant's representative: W. D. Benson, Jr., Suite 1105, Great Plains Life Bldg., Lubbock, Tex. For authority to operate as a common carrier, over irregular routes, transporting: Motion picture film, theatre supplies, materials and equipment, newspapers, and magazines, (1) between Dallas and San Antonio, Tex., and points in Texas on or bounded by a line beginning at the New Mexico-Texas State line (near Farwell, Tex.), and extending along U.S. Highway 84 to Sweetwater, Tex., thence southerly along Texas Highway 70 to junction U.S. Highway 277, thence along U.S. Highway 277 to San Angelo, Tex., thence along U.S. Highway 67 to Barnhart, Tex., thence along Texas Highway 163 to Ozona, Tex., thence westerly along U.S. Highway 290 to junction U.S. Highway 80 (east of Kent, Tex.), and thence along U.S. Highway 80 (through El Paso, Tex.) to the New Mexico-Texas State line (near Anthony, N. Mex.-Tex.), on the one hand, and, on the other, points in Curry, De-Baca, Roosevelt, Lincoln, Chaves, Dona Ana, Otero, Eddy and Lea Counties, N. Mex., and Baird and Merkel, Tex.; (2) between Dallas and San Antonio, Tex., on the one hand, and, on the other, Baird and Merkel, Tex., and points in that part of Texas as described immediately above; and (3) between Oklahoma City, Okla., on the one hand, and, on the other, points in that part of Texas on and north of a line beginning at the New Mexico-Texas State line and extending along U.S. Highway 84 to junction U.S. Highway 62 and thence along U.S. Highway 62 to the Texas-Oklahoma State line, including points on the indicated portions of the highways specified, except Hereford and Amarillo, Tex. Applicant is authorized to conduct operations in Texas, New Mexico and Oklahoma City, Okla.

Note: Applicant proposes to tack the above-described operations to its authorized operations in Certificate MC 114737 (Sub (No. 2), dated May 22, 1956; applicant does not seek duplication; if application is granted, will request cancellation of any duplicating authority; purpose of applica-

tion is to extend applicant's operations by including additional commodities herein sought and additional points of San Antonio, Merkel and Baird, Tex., as more fully set forth in the application.

HEARING: March 21, 1957, at the Baker Hotel, Dallas, Tex., before Joint Board No. 210.

No. MC 116301, filed November 13. 1956, ABODE TRANSLER & STORAGE CO., INC., 512 Meadows Bldg., Dallas, Tex. Applicant's representative: R. B. Cortez, 512 Meadows Bldg., Dallas, Tex. For authority to operate as a common carrier, over regular and irregular routes, transporting: General commodities (as more fully described in the application), except Class A and B explosives, commodities requiring refrigeration, and livestock, over the following regular routes: (1) between Dallas, Tex., and Laredo, Tex., from Dallas over U.S. Highway 77 to Hillsboro, thence over U. S. Highway 81 to San Antonio, thence over U. S. Highway 81 to Laredo, and return over the same route, serving the intermediate point of San Antonio and the off-route point of Rockwall; (2) between Houston, Tex., and Laredo, Tex., from Houston over U.S. Highway 90 to San Antonio, thence over U.S. Highway 81 to Laredo, and return over the same route, serving the intermediate point of San Antonio, (3) between Houston, Tex., and Laredo, Tex., from Houston over U. S. Highway 59 to Laredo, and return over the same route, serving no intermediate points; (4) between Houston, Tex., and Laredo, Tex., from Houston over U.S. Highway 59 to Victoria, thence over U.S. Highway 77 to Sinton, thence over U.S. Highway 181 to Corpus Christi; thence over Texas Highway 44 to Freer, thence over U.S. Highway 59 to Laredo, and return over the same route, serving the intermediate point of Corpus Christi; and over the following irregular routes: (1) Oil field equipment and machinery, with a 4,000 pound minimum shipment, between Laredo, Texas and points in Texas; (2) Household goods, as defined by the Commission, new and used furniture and fixtures, with a 1,000 pound minimum, between Laredo, Texas and points in Texas.

Note: Above operations will be conducted for import and export through Laredo, Texas.

HEARING: March 25, 1957, at the Baker Hotel, Dallas, Tex., before Joint Board No. 77.

No. MC 116303, filed November 13, 1956, FIVE STAR TRANSFER & TERMINAL WAREHOUSE, INC., 8015 Sovereign, Dallas, Tex. Applicant's representative: John W. Carlisle, 422 Perry-Brooks Bldg., Austin 1, Tex. For authority to operate as a common carrier, over irregular routes, transporting: New furniture, uncrated, as described by the Commission, and damaged shipments thereof, and household goods as defined by the Commission, (1) between points in Texas, Oklahoma, and Louisiana, and (2) between points in Texas, and Oklahoma.

HEARING: March 11, 1957, at the Federal Office Bldg., Franklin & Fannin Sts., Houston, Tex., before Examiner Lucian A. Jackson.

No. MC 116303 (Sub No. 1), filed November 21, 1956, FIVE STAR TRANSFER & TERMINAL WAREHOUSE, INC., 8015 Sovereign, Dallas, Tex. Applicant's representative: John W. Carlisle, 422 Perry-Brooks Bldg., Austin 1, Tex. For authority to operate as a common cartier, over irregular routes, transporting: New furniture, uncrated, as described by the Commission, and damaged shipments thereof, and household goods, as defined by the Commission, between points in Texas, New Mexico, Kansas, Missouri, Colorado, Arizona, Tennessee, Illinois, Wisconsin, Ohio, and Indiana.

HEARING: March 12, 1957, at the Federal Office Bldg., Franklin & Fannin Sts., Houston, Tex., before Examiner Lucian A. Jackson.

#### MOTOR CARRIER OF PASSENGERS

No. MC 3647 (Sub No. 208), filed January 14, 1957, PUBLIC SERVICE CO-ORDINATED TRANSPORT, 80 Park Place, Newark, N. J. Applicant's representative: Frederick M. Broadfoot, Public Service Terminal, Newark 1, N. J. For authority to operate as a common carrier, over regular routes, transporting: Passengers, express, newspapers and baggage of passengers, in the same vehicle with passengers, (1) between Greystone Park (Parsippany-Troy Hills), N. J., and Irvington, N. J., from Greystone Park State Hospital, Parsippany-Troy Hills, N. J., over Central Avenue to junction Stiles Avenue, Morris Plains, N. J., thence over Stiles Avenue to junction of Glenbrook Road, thence over Glenbrook Road to junction of Speedwell Avenue (U.S. Highway 202), thence over Speedwell Avenue to junction of Park Place to junction of Park Place West, in Morristown, N. J., thence over Park Place West to junction of Park place South, thence over Park Place South to junction of Park Place East, thence over Park Place East to junction of Morris Street, thence over Morris Street to junction of Washington Avenue, thence over Washington Avenue to junction of Normandy Parkway, thence over Normandy Parkway to junction of New Jersey Highway 24, Morris Township, N. J., thence over New Jersey Highway 24 through Convent, Madison, Chatham, Summit, Millburn and Springfield to the junction of Millburn Avenue, Springfield, N. J., thence over Millburn Avenue through Millburn to junction of Springfield Avenue (New Jersey Highway 24), Maplewood, N. J., thence over Springfield Avenue through Maplewood to junction of Irvington Bus Terminal, Irvington, N. J., returning over the same route to junction of Millburn Avenue and Essex Street, Millburn. N. J., thence over Essex Street to junction of Millburn Avenue, Millburn, N. J., thence over the same route to junction of Morris Street and Park Place North, Morristown, N. J., thence over Park Place North to junction of Speedwell Avenue (U. S. Highway 202), Morristown, N. J., and thence over the same route named above, serving all intermediate points, (2) beginning and ending at Morris Plains, N. J., from junction of Glenbrook Road and Mountain Way, Morris Plains, N. J., thence over Moun-

tain Way to junction of Grannis Drive, thence over Grannis Drive to junction of Speedwell Avenue (U.S. Highway 202), thence over Speedwell Avenue (U. S. Highway 202) to junction of Glenbrook Road, Morris Plains, N. J., and return over the same route, serving all intermediate points, (3) beginning and ending at Morristown, N. J., from junction of Park Place South-Park Place East and South Street (New Jersey Highway 24), Morristown, N. J., thence over South Street (New Jersey Highway 24) to junction of Madison Avenue (New Jersey Highway 24) thence over Madison Avenue to junction of Normandy Parkway and New Jersey Highway 24, Morris Township, N. J., and return over the same route, serving all intermediate points, (4) beginning and ending at Madison, N. J., from junction of New Jersey Highway 24 and Elm Street, Madison, N. J., thence over Elm Street to junction of Park Avenue, thence over Park Avenue to junction of New Jersey Highway 24, Madison, N. J., and return over the same route, serving all inter-mediate points, (5) between Summit, N. J., and Springfield, N. J., from junction of New Jersey Highway 24 and River Road, Summit, N. J., thence over River Road to junction of Morris Avenue, thence over Morris Avenue to junction of Broad Street, thence over Broad Street to junction of Morris Avenue, Springfield, N. J., thence over Morris Avenue to junction of New Jersey Highway 24 and Millburn Avenue, Springfield, N. J., and return over the same route, serving all intermediate points, (6) between Springfield, N. J., and Millburn, N. J., from junction New Jersey Highway 24 and Millburn Avenue, Springfield, N. J., thence over New Jersey Highway 24 to junction of Main Street, Springfield, N. J., thence over Main Street to junction of Millburn Avenue, Millburn, N. J., returning from junction of Essex Street and Main Street, Millburn, N. J., thence over Main Street to junction of New Jersey Highway 24, Springfield, N. J., thence over New Jersey Highway 24 to junction of Millburn Avenue, Springfield, N. J., serving all intermediate points, and (7) between Springfield, N. J., and Newark, N. J., from junction of New Jersey Highway 24 and Main Street, Springfield, N. J., thence over New Jersey Highway 24 to junction of New Jersey Highway 82, thence over New Jersey Highway 82 to junction of U.S. Highway 22, Union, N. J., thence over U.S. Highway 22 to junction of U.S. Highway 1, Newark, N. J., and return over the same route, serving all intermediate points. Applicant is authorized to conduct similar operations in New Jersey and New York. HEARING: March 18, 1957, at the

HEARING: March 18, 1957, at the New Jersey Board of Public Utility Commissioners State Office Bldg., Raymond Blvd., Newark, N. J., before Joint Board No. 119.

No. MC 109780 (Sub No. 47), filed November 28, 1956, TRANSCONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas, Tex. Applicant's representative: Alfred Crager, 315 Continental Avenue, Dallas, Tex. For authority to operate as a common carrier,

over a regular route, transporting: Passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, between junction New U. S. Highway 67 and Texas Highway 205, approximately one and one-half (1½) miles south of Rockwall, Tex., and Royse City, Tex., a distance of approximately eight (8) miles over New U. S. Highway 67, serving no intermediate points. Applicant is authorized to conduct operations in Arizona, Arkansas, California, Colorado, Illinois, Iowa, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Utah.

Note: Applicant is authorized to transport Passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, between Dallas, Tex., and Greenville, Tex., over U.S. Highway 67, serving all intermediate points. It; is the desire of applicant to route through direct service over the New U. S. Highway 67, over the points indicated, but it is also desired to maintain rights for the performance of local service over the old U. S. Highway 67, through Rockwall, Fate and Royse City, Tex., and points intermediate thereto. Applicant further states that New U. S. Highway 67 has been cut through, beginning at a point one and one-half (1½) miles from Rockwall and extending to Royse City, and such highway is of the modern super-highway type. The towns of Rockwall, Fate, and Royse City are situated a short distance from the metropolitan part of Dallas and many persons live in these communities who commute between their homes and Dallas. Applicant desires, therefor, to maintain the local service to accommodate these passengers by the use of old U. S. Highway 67, which will become a state maintained road of the farm-to-market type, and it is desired in addition to operate through schedules of the applicant over the New U. S. Highway 67.

HEARING: March 26, 1957, at the Baker Hotel, Dallas, Tex., before Joint Board No. 77.

No. MC 111978 (Sub No. 4), filed January 3, 1957, EDWARD DAVIS, doing business as BLACK AND WHITE TRANSIT COMPANY, Grundy, Va. Applicant's representative: John C. Goddin, State-Planters Bank Building, Richmond 19, Va. For authority to operate as a common carrier, over a regular route, transporting: Passengers and their baggage, and express, mail and newspapers, in the same vehicle with passengers, between the Kentucky-Virginia State line and junction Virginia Secondary Highway 609 and U. S. Highway 460, from the Kentucky-Virginia State line over Virginia Highway 80 to junction Virginia Secondary Highway 609, near Breaks, Va., thence over Virginia Secondary Highway 609 to junction U.S. Highway 460, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Kentucky and Virginia.

HEARING: March 8, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Joint Board No. 103.

APPLICATIONS IN WHICH HANDLING WITH-OUT ORAL HEARING IS REQUESTED

#### MOTOR CARRIERS OF PROPERTY

No. MC 30887 (Sub No. 70), filed January 14, 1957, SHIPLEY TRANSFER, and commodities in bulk, between Cleves, INC., 534 Main St., Reisterstown, Md. Ohio (a part of the Cincinnati, Ohio,

For authority to operate as a common carrier, over irregular routes, transporting: Latex, in bulk, in tank vehicles, from Dover, Del., and points within fifteen (15) miles of Dover, to Alexandria Bay, N. Y., restricted in traffic destined to Ontario, Canada, Baltimore, Md., Chicago, Ill., Columbia, S. C., Detroit, Mich., Fairfax, Ala., LaGrange, Ga., Minneapolis, Minn., New Brunswick, N. J., New York, N. Y., Philadelphia, Pa., Quakertown, Pa., Secaucus, N. J., and points in Massachusetts, with elimination of any duplication. Applicant is authorized to conduct operations in Maryland, Delaware, Rhode Island, Connecticut, Massachusetts, Pennsylvania, New York, New Jersey, Virginia, North Carolina, Ohio, Indiana, Michigan, Missouri and Wisconsin.

No. MC 66562 (Sub No. 1332), filed January 22, 1957, RAILWAY EXPRESS AGENCY, INCORFORATED, 219 East 42d Street, New York 17, N. Y. Applicant's representative: William H. Marx, 219 E. 42d Street, New York 17, N. Y. For authority to operate as a common carrier, over a regular route, transporting: General commodities, including Class A and B explosives, moving in express service, between Spokane, Wash., and Wallace, Idaho, over U.S. Highway 10, serving the intermediate points of Dishman, Wash., and Coeur d'Alene and Kellogg, Idaho. Applicant is authorized to conduct operations throughout the United States.

No. MC 104724 (Sub No. 10), filed January 23, 1957, SUPERIOR TRUCK-ING COMPANY, INC., 520 Bedford Place NE., Atlanta, Ga. Applicant's representative: Reuben G. Crimm, Eight-O-Five Peachtree Street Bldg., Atlanta 8, Ga. For authority to operate as a contract carrier, over irregular routes, transporting: Advertising matter, when in mixed shipments with malt beverages, from Atlanta, Ga., to points in Alabama, Florida, North Carolina, South Carolina and to Chattangoga, Lawrenceburg, Shelbyville, Cookeville, Harriman, Johnson City, Knoxville and Nashville, Tenn. Applicant is authorized to transport malt beverages in Georgia, Alabama, Tennessee, Florida, North Carolina, and South Carolina.

Note: Applicant states that it presently holds a permit as a contract carrier to transport malt beverages from Atlanta, Ga., to the above destination points, and the instant application is sought solely to permit applicant to move advertising matter in mixed shipments with the malt beverages already authorized, and no extension of authority is sought. Applicant is authorized to conduct operations under Certificate No. MC 106644. Section 210 may be involved.

No. MC 107158 (Sub No. 7), filed November 19, 1956, DENNIS TRUCK LINE, INC., 4622 South Bishop St., Chicago, Ill. Applicant's representative: Franklin R. Overmyer, Harris Trust Bldg., 111 West Monroe St., Chicago 3, Ill. For authority to operate as a common carrier, transporting: General commodities, except those of unusual value. Class A and B explosives, household goods as defined by the Commission, and commodities in bulk, between Cleves, Ohio (a part of the Cincinnati, Ohio,

Commercial Zone as defined by the Commission), and junction U. S. Highway 52 and Kilby Road: from Cleves over U. S. Highway 50 to junction with Kilby Road, and thence over Kilby Road to junction with U. S. Highway 52, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations between Chicago, Ill. and Cincinnati, Ohio via U. S. Highway 41 to Kent, Ind., and U. S. Highway 52 via Indianapolis to Cincinnati.

No. MC 114346 (Sub No. 5), filed September 10, 1956, published in the FEDERAL REGISTER OF October 10, 1956, TRANS-CARIBBEAN MOTOR TRANS-PORT, Pier 2, Municipal Docks, Miami 32, Fig. Applicant's representative: Allan F. Wholstetter, 1518 K. Street NW., Washington 5, D. C. For authority to operate as a common carrier over irregular routes, transporting: General commodities, including Class A and B explosives, household goods as defined by the Commission, those requiring refrigeration, commodities in bulk, and those requiring special equipment, but excluding commodities of unusual value. in pick-up and delivery service, between points within the Commercial Zone of Jacksonville, Fla. The above service is restricted to traffic moving to and from territories and possessions of the United States.

Note: The hearing previously assigned was cancelled upon the filing of verified statements on behalf of applicant.

No. MC 116373 (Sub No. 1), filed January 23, 1957, HENRY HYMAN, doing business as MODERN TRUCKING COMPANY, 1 W 19th St., New York, N. Y. Applicant's representative: Charles H. Trayford, 155 E. 40th St., New York 16, N. Y. For authority to operate as a contract carrier, over irregular routes, transporting: Toys and games, in packages, between the plant site of General Sportcraft Co., Ltd. in Bergenfield, N. J., on the one hand, and, on the other, points in the New York, N. Y., Commercial Zone, as defined by the Commission.

### Applications Under Sections 5 and 210a (b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5 (2) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto. (Federal Register Volume 21, page 7329, § 1.240, September 26, 1956.)

#### MOTOR CARRIERS OF PROPERTY

No. MC-F 6007, published in the June 29, 1955, issue of the Federal Register on page 4610. Application filed January 28, 1957, for temporary authority under section 210a (b).

No. MC-F 6264, published in the May 16, 1956, issue of the FEDERAL REGISTER on page 3245. Petition filed January 28, 1957, for reopening and grant of supplemental authority. Additional authority proposed to be transferred to RED BALL

752 NOTICES ...

MOTOR FREIGHT, INC.: That portion of Certificate No. MC 61440 Sub 68, issued November 30, 1955, to LEE WAY MOTOR FREIGHT, INC., covering the transportation of government-owned compressed gas trailers, loaded with compressed gas (other than liquefied petroleum gas) or empty, as a common carrier over regular routes between Amarillo, Tex., and Clovis, N. Mex., serving certain intermediate and off-route points.

No. MC-F 6497. Authority sought for control and merger by UNITED TRUCK LINES, INC., East 915 Springfield Avenue, Spokane, Wash., of the operating rights and property of APPLE CITY TRANSFER CO., INC., West 1741 Eleventh Avenue, Spokane, Wash., and for acquisition by JOHN MANLOWE, also of Spokane, of control of such rights and property through the transaction. Applicant's representative: John Manlowe, President, United Truck Lines, Inc., East 915 Springfield Avenue, Spokane 2, Wash. Operating rights sought to be controlled and merged: Paper, as a common carrier over a regular route between Seattle, Wash., and Oroville, Wash., serving the intermediate points of Omak, Okanogan, and Tonasket, Wash.; gen-eral commodities, with certain exceptions including household goods and commodities in bulk, over irregular routes between Wenatchee, Wash., and points within three miles of Wenatchee: household goods, as defined by the Commission, between Wenatchee, Wash., on the one hand, and, on the other, points in Washington and Oregon; sugar, between Wenatchee, Wash., on the one hand, and, on the other, points in Chelan, Okanogan, and Grant Counties, Wash.; or-chard spray and spray materials, between Wenatchee, Wash., on the one hand, and, on the other, points in Washington. UNITED TRUCK LINES, INC., is authorized to operate as a common carrier in Washington, Oregon, Montana and Idaho. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6498. Authority sought for purchase by ALLEN E. KROBLIN, INC., Sumner, Iowa, of the operating rights of DAIRY DESPATCH, 180 East 6th Street, Dubuque, Iowa, and for acquisition by ALLEN E. KROBLIN and MILDRED KROBLIN, both of Sumner, of control of such rights through the purchase. Applicant's representative: William B. Mooney, First National Bank Bldg., Waverly, Iowa. Operating rights sought to be transferred: The commodities classified as dairy products in the appendix to the report in Modification of Permits-Packing House Products, 46 M. C. C. 23, as a common carrier over irregular routes from points in that part of Iowa on and east of U.S. Highway 71 from the Iowa-Minnesota State line to junction Iowa Highway 92, and on and north of Iowa Highway 92 from said junction to the Iowa-Illinois State line, to Dubuque. Calmar, Charles City, Iowa Falls, and Manchester, Iowa. Vendee is authorized to operate as a common carrier in Iowa, Illinois, Wisconsin, Minnesota and Indiana. Application has been filed for temporary authority under section 210a (b).

No. MC-F 6500. Authority sought for control by PHILANDER COOKE, 19 Middletown Avenue, North Haven, Conn., of HERCULES TRUCKING CO., INC., P. O. Box 2693, Elmwood Station, Providence, R. I. Applicant's representative: Hugh M. Joseloff, 410 Asylum Street, Hartford, Conn. Operating rights sought to be controlled: General commodities, with certain exceptions including household goods and commodities in bulk, as a common carrier over regular routes between Providence, R. I., and Boston, Mass., serving certain intermediate and off-route points; general commodities, with certain exceptions including household goods and commodities in bulk, over irregular routes between Providence. R. I., on the one hand, and, on the other, points in Bristol, Kent, and Providence Counties, R. I.; automatic sprinkling apparatus, humidifying, and air conditioning apparatus, and pipes, valves, fittings, tools, accessories, and materials used in the installation of such apparatus between Cranston and Providence. R. I., on the one hand, and, on the other, points in Massachusetts and those in that part of Connecticut east of Connecticut Highway 10, including points on the highway specified; heating apparatus, and boilers, radiators, pipes, fittings, grates, tools, and materials used in the installation of such apparatus between Cambridge and Westfield, Mass., on the one hand, and, on the other, points in Rhode Island: shoe manufacturing machinery, between Providence, R. I., and Beverly, Mass. PHILANDER COOKE. doing business as COOKE'S EXPRESS COMPANY, is authorized to operate as a common carrier in Connecticut, Massachusetts and Rhode Island. Application has been filed for temporary authority under section 210a (b).

No. MCF 6501. Authority sought for purchase by PITTSBURGH & NEW ENGLAND TRUCKING CO., 211 Washington Avenue, Dravosburg, Pa., of the operating rights of FREDERICK VEADER, doing business as V & G TRUCKING, 175 Williams Street, Chelsea, Mass., and for acquisition by F. T. HILLER, 2211 Jenny Lind Street, Mc-Keesport, Pa., of control of such rights through the purchase. Applicants' representative: Leonard Boreman, 1124 Frick Bldg., Pittsburgh 19, Pa. Operating rights sought to be transferred: Steel rolls, as a common carrier over irregular routes between - Lawrence, Mass., and Ansonia, Conn.; machinery, between Lawrence and North Andover. Mass., on the one hand, and, on the other, points in Pennsylvania, New York and North Carolina. Vendee is authorized to operate as a common carrier in New York, Massachusetts, New Jersey, Rhode Island, Connecticut, Pennsylvania, Ohio and West Virginia. Application has been filed for temporary authority under section 210a (b).

No. MC-F 6502. Authority sought for purchase by RUSSELL GILLILAND and MAURICE GILLILAND, doing business as GILLILAND TRANSFER COMPANY, 21 Sheridan Street, Fremont, Mich., of the operating rights and property of H. E. JENSEN, 110 East Broadway, Scottville, Mich. Applicants' representative: Kit

Clardy, 712 Olds Tower, Lansing, Mich. Operating rights sought to be transferred: Agricultural commodities, as a common carrier over regular and irregular routes from points in Mason County, Mich., to Chicago, Ill., serving all intermediate points; feed, agricultural com-modities, and empty fruit containers, from Chicago, Ill., to points in Mason County, Mich., serving all intermediate points; agricultural commodities and household goods as defined by the Commission, over irregular routes between Chicago, Ill., on the one hand, and, on the other, certain points in Michigan; unmanufactured agricultural commodities, from points in Oceana County, Mich., to points in the CHICAGO, ILL., COMMERCIAL ZONE, as defined by the Commission; feed and fertilizer, from Chicago and Chicago Heights, Ill., to certain points in Michigan, and from points in the CHICAGO, ILL., COM-MERCIAL ZONE, as defined by the Commission, except Chicago, Ill., to certain points in Michigan; cheese and butter, from Fountain, Mich., to Chicago, Ill.; salt, in truckloads, as a contract carrier over irregular routes, from Manistee, Mich., to points in Indiana and Illinois. Vendee is authorized to operate as a common carrier in Michigan, Missouri, Kentucky, Wisconsin, Illinois, Indiana. Ohio, Pennsylvania, New York and West Virginia. Application has not been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL]

Harold D. McCoy, . Secretary.

[F. R. Doc. 57-856; Filed, Feb. 5, 1957; 8:46 a. m.]

Organization of Divisions and Boards and Assignment of Work, Business and Functions

#### AMENDMENT OF MINUTES

JANUARY 25, 1957.

The Organization Minutes of the Interstate Commerce Commission relating to the organization of divisions and boards and assignment of work, business and functions of the Interstate Commerce Commission, pursuant to section 17 of the Interstate Commerce Act as amended, effective July 17, 1956 (21 F. R. 6310), as amended (21 F. R. 7927, 9000) have been further amended, effective immediately:

- 1. Paragraphs (g), (h), (i), and (k) of Item 4.2 Division One—Motor Carrier Division, are amended to read as follows:
- (g) Sections 206, 207, and 208, relating to certificates of public convenience and necessity.
- (h) Section 209, relating to permits.(i) Section 210, relating to dual operations.
- (k) Section 211, relating to brokerage licenses.
- 2. Item 7.4 Motor Carrier Board, delete paragraph (a) and reletter paragraphs (b), (c), (d), (e) and (f) as paragraphs (a), (b), (c), (d) and (e), respectively; in new paragraph (a) in the last sentence

change the reference to "Item 7.4 (f)" to read "Item 7.4 (e)". As thus corrected paragraph (a) reads as follows:

(a) Section 210a (a), relating to apolications for temporary authority for ervice by common or contract carriers by motor vehicle, except applications involving broad questions of policy; maters following the issuance of an order or requirement of the Commission or a Division thereof; matters in which a reated question is already before the Commission or a Division; and applications received as a result of strikes which allegedly disrupt transportation in the creas involved, provided that any initial grant of temporary authority by the Motor Carrier Board shall be limited to period not exceeding 60 days, but may e continued by the Board, upon considration of an appropriate petition, for further period, not to exceed an aggreate of 180 days. Matters herein exepted from the Board's jurisdiction shall e certified to Division 1 under Item l.4 (e).

3. Item 8.5 under Rehearings and furher proceedings is amended by substiuting therein reference to "Item 7.4 a)" in lieu of reference to "Item 7.4 b)". As thus amended, Item 8.5 reads is follows:

8.5 Division One is hereby designated is an appellate division to which appliations or petitions for reconsideration review of any order, action, or requirement of the Motor Carrier Board shall be issigned or referred for disposition, (exept as otherwise provided in Item 7.4 a),) and the decisions or orders of the appellate division shall be administratively final and not subject to review by the Commission.

[SEAL]

HAROLD D. McCoy, Secretary.

F. R. Doc. 57-855; Filed, Feb. 5, 1957; 8:46 a. m.]

# SECURITIES AND EXCHANGE COMMISSION

[24FW-1046]

DANCU CHEMICAL CO.

ORDER TEMPORARILY DENYING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

JANUARY 31, 1957.

I. DanCu Chemical Co., an Oklahoma Corporation, having filed with this Commission on August 7, 1956, a notification in Form 1-A relating to a proposed offering of 18,000 shares of its \$10.00 par value class "B" Common Voting Stock at \$10.00 per share, and 9,000 shares of its \$10.00 per value 6 Percent Cumulative Convertible Class "B" Preferred Stock (each thare convertible into one share of Class "B" Common Stock) at \$10.00 per share, and an additional 9,000 shares of the class "B" Common Voting Stock reserved to cover the conversion privileges of the class "B" Preferred Stock, all for an aggregate offering price of \$270,000.00, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended,

pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder; and

II. The Commission having reasonable cause to believe that the terms and conditions of Regulation A have not been complied with and that by reason of the provisions of Rule 216 (b) (4) (ii) thereunder the exemption provided by Regulation A is not available for this notification filed by DanCu Chemical Co. and the offering proposed to be made thereunder, for the reason that heretofore on December 20, 1956 the Commission entered an order against DanCu Chemical Co. temporarily suspending the Regulation A exemption with respect to a prior notification filed by the company, which said suspension order is still in full force and effect.

III. It is therefore ordered, Pursuant to Rule 216 (b) (4) (ii) and Rule 223 (a) (5) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily denied.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of denial should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 57-857; Filed, Feb. 5, 1957; 8:47 a.m.]

[File No. 812-1062]

TRI-CONTINENTAL CORP. ET AL.

NOTICE OF FILING OF APPLICATION FOR EX-EMPTION OF PURCHASE OF SECURITIES DURING EXISTENCE OF UNDERWRITING SYNDICATE FOR SUCH SECURITIES

FEBRUARY 1, 1957.

In the matter of Tri-Continental Corporation, Tri-Continental Financial Corporation, Broad Street Investing Corporation, Whitehall Fund, Inc.; File No. 812–1062.

Notice is hereby given that Tri-Continental Corporation ("Tri-Continental"), a registered closed-end diversified investment company, Tri-Continental Financial Corporation ("Financial"), a registered closed-end non-diversified investment company, Broad Street Investing Corporation ("Broad Street") and Whitehall Fund, Inc. ("Whitehall"), registered open-end diversified investment companies, have filed a joint application pursuant to the Investment Company Act of 1940 ("act") for an

order of the Commission exempting from the provisions of sections 10 (f) and 17 (a) of the act, the proposed purchase by the applicants of an aggregate of not to exceed \$4,900,000 principal amount of \_\_\_\_ percent Convertible Subordinated Debentures due 1987 of Phillips Petroleum Company ("Phillips").

The application makes the following representations:

Phillips proposes to offer to the holders of its Common Stock of record at the close of business on February 7, 1957. rights to subscribe for the Debentures at the rate of \$100 principal amount of Debentures for each 20 shares of Common Stock then held of record. Among the principal underwriters named or to be named in the Registration Statement filed with the Commission under the Securities Act of 1933 is Clark, Dodge & Co. David McAlpin, a limited partner in the firm of Clark, Dodge & Co., is a director of each of the Applicants. None of the other principal underwriters of the Debentures is affiliated with any of the Applicants.

After the Registration Statement has become effective and the price and other terms of such Subscription Offer have been made public, the Applicants may respectively determine to purchase the following maximum principal amounts of Debentures:

Maximum principal amount of debentures which may be

 Applicant:
 purchased

 Tri-Continental
 \$2,000,000

 Financial
 2,000,000

 Broad Street
 750,000

 Whitehall
 150,000

Such purchases, if made, may be made (a) from any underwriter of the Debentures or from any dealer or broker or other person selling the Debentures and will be made at the price or prices at which the Debentures are being offered to the general public, or (b) through the exercise of Rights which will be purchased at a price or prices at which the Rights are being quoted on the New York Stock Exchange at the time of purchase. The underwriter or dealer or other person selling the Debentures or the Rights to the respective Applicants will receive the same discounts or commissions in connection therewith as in the case of sales of Debentures or Rights to the general public. No purchase will be made by any of the Applicants from Clark, Dodge & Co., but in the event that purchases are made from the managing underwriter selling for group account, sales made to the Applicants by such managing underwriter may accrue to the benefit of Clark, Dodge & Co. in proportion to its participation in the group.

Tri-Continental, which presently owns 52,000 shares of Common Stock of Phillips, and Broad Street, which presently owns 12,000 shares of Common Stock of Phillips, may respectively determine to exercise the Rights which will be issued to them as stockholders. The exercise of these Rights which would result in Tri-Continental acquiring an additional \$260,000 principal amount of Debentures and Broad Street acquiring an additional \$60,000 principal amount of Debentures, are exempt from the pro-

hibition of section 10 (f), referred to hereinafter, pursuant to Rule N-10F-2.

Section 10 (f) of the act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer) a principal underwriter of which is an officer or director of such registered company or is a person of which any such officer or director is an affiliated person. The Commission may exempt a transaction from this prohibition if and to the extent that such exemption is consistent with the protection of investors. Since a partner of Clark, Dodge & Co., a participant in the underwriting group, is a director of each of the Applicants, the proposed purchase is prohibited by the provisions of section 10 (f) unless the Commission finds that the proposed acquisition of securities is consistent with the protection of investors.

Section 17 (a) of the act, among other things, prohibits an affiliated person of a registered investment company, or any affiliated person of such a person, from selling to such registered investment company any security or property, subject to certain exceptions not pertinent here. The Commission upon application pursuant to section 17 (b) may grant an exemption from the prohibitions of section 17 (a) if it finds that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of the registered investment company concerned, as recited in its registration statement and reports filed under the act, and is consistent with the general purposes of the act. Since purchases may be made from the managing underwriter which purchases may accrue to the benefit of Clark. Dodge & Co., the transactions in this respect would come within the prohibitions of section 17 (a) unless an exemption therefrom is granted pursuant to section 17 (b).

The decision by each Applicant to purchase any of the Debentures, if made, will be based upon the opinion of the management of such Applicant that the purchase of such Debentures at the price or prices then existing, will constitute a good investment for such Applicant.
The application also states that the requested exemption is consistent with Applicants' investment policies and with the protection of investors; that the terms of the proposed transactions, including the consideration to be paid and received are reasonable and fair and do not involve overreaching on the part of any person concerned; and that the proposed transactions are consistent with the general purposes of the act.

Notice is further given that any interested person may, not later than February 13, 1957, at 5:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such re-

quest and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 57-879; Filed, Feb. 5, 1957; 8:49 a. m.]

[File No. 24D-1402] URAINBOW, INC.

ORDER TEMPORARILY SUSPENDING EXEMP-TION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

JANUARY 31, 1957.

I. Urainbow, Inc. (hereinafter referred to as the "issuer"), 908 Kearns Building, Salt Lake City, Utah, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder, filed with the Commission on August 31, 1954, a notification on Form 1–A and an offering circular, and subsequently filed amendments, relating to a proposed offering of 2,000,000 shares of 2 cents par value common stock at 15 cents per share.

II. The Commission has reasonable grounds to believe that the terms and conditions of Regulation A have not been complied with in that:

A. The issuer failed to file a report on Form 2-A within the time period required by Rule 224 of Regulation A.

B. The notification and offering circular contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading in that:

1. The address appearing on the issuer's offering circular is no longer accurate.

2. Mr. N. J. Nielson, listed as a member of the Board of Directors in the offering circular, is deceased and has been replaced by Mr. Barney Amundson.

3. The offering circular fails to indicate that the underwriting agreement between the issuer and the Austin B. Smith Brokerage Co. was terminated on or about December 15, 1954.

4. Item 3 of the notification states that the issuer issued and sold 3,971,125 shares of its unregistered common stock within one year prior to the date of filing the notification to persons who had agreed to take the stock for investment purposes and not for purposes of resale or distribution, whereas Messrs. Val S. Scoville, Secretary-Treasurer of the issuer, and N. J. Nielson distributed a large portion of their stock within a short period of

time after the acquisition of such stock and prior to the date the notification was filed.

5. The offering circular discloses that the issuer has a lease on fourteen unpatented lode mining claims located in Mohave County, Arizona, entitled the "Hack Canyon Property," whereas the lease has been terminated by the lessors and the issuer no longer has such property.

6. The offering circular fails to disclose that the issuer was in litigation over the validity of the lease on the Hack Canyon property for many months.

C. The use of the offering circular without disclosure of the aforementioned facts would and did operate as a fraud and deceit upon the purchasers of such securities.

III. It is ordered, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DUBois, Secretary.

[F. R. Doc. 57-858; Filed, Feb. 5, 1957; 8:47 a. m.]

#### DEPARTMENT OF JUSTICE

#### Office of Alien Property

ELSA BECK

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mrs. Elsa Beck, nee Schwarz, Budapest, Hungary; Claim No. 48079; Vesting Order No. 592. Four pictures, executed by Mrs. Elsa Beck-Schwarz, acquired pursuant to Vesting Order No. 592 as part of the Felleky Collection (more commonly known as the Hungarian Reference Library) which was in the custody of the Hungarian National Museum and described as follows: Afternoon Coffee (oil painting), Peasant Cottage (water color drawing), Snowy Garden (water color drawing), Snowy Garden (water color draw-

ing), and Returning by Moonlight (water color drawing).

The above described pictures are presently located in the Office of Alien Property, Washington, D. C.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-867; Filed, Feb. 5, 1957; 8:48 a. m.]

#### TAIICHI THOMAS ASAMI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Taiichi Thomas Asami, Tokyo, Japan; Claim No. 57978; Vesting Order No. 7814; \$2,000.00 in the Treasury of the United States.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

Paul V. Myron, Deputy Director, Office of Alien Property.

[F. R. Doc. 57-866; Filed, Feb. 5, 1957; 8:48 a.m.]

#### WILLIAM DEUSCHLE ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

William. Deuschle, Brooklyn, New York, Claim No. 63611; \$309.40 in the Treasury of the United States.

Luise Ege, Mineola, New York, Claim No. 63612; \$309.40 in the Treasury of the United States.

Alberto Deuschle, Rio Grande de Sul, Brazil, Claim No. 63613; \$309.40 in the Treasury of the United States.

Vesting Order Nos. 10180 and 11314.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-868; Filed, Feb. 5, 1957; 8:48 a. m.]

#### HAIMO GOEDECKE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Haimo Goedecke, Wehr/Baden, Germany, Claim No. 62552; Vesting Orders Nos. 17975 and 17978; \$3,013.80 in the Treasury of the United States.

Certificates numbers CO 5070 and CO 5079 for 26 and 40 shares, respectively, of Central Public Utility Corporation voting trust certificates for \$1.00 par value common stock, presently in the possession of the Office of Alien Property, Washington, D. C.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-869; Filed, Feb. 5, 1957; 8:48 a. m.]

#### ALAN PERCY GRAVES

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Alan Percy Graves, Geneva, Switzerland; Claim No. 58483; Vesting Order No. 13865; \$3,481.00 in the Treasury of the United States.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-870; Filed, Feb. 5, 1957; 8:48 a. m.]

#### MERCEDES HUNTINGTON

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after ade-

quate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mercedes Huntington, Florence, Italy; Claim No. 46625; Vesting Order No. 1389; all right, title, interest and claim of any kind or character whatsoever of Mercedes Huntington, also known as Mercedes H. Pasetti, in and to a trust created under the will of Annie Oakes Huntington, deceased, which is presently in the process of administration by Boston Safe Deposit and Trust Company of Boston, Massachusetts, Trustee, acting under the judicial supervision of the Probate Court, Oxford County, Maine.

Dated at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-871; Filed, Feb. 5, 1957; 8:48 a. m.]

#### HILDE KOPLENIG

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Hilde Koplenig, nee Oppenheim; Vienna, Austria; Claim No. 63220; Vesting Order No. 4860; all right, title, interest and claim of any kind or character whatsoever, of Hilde Koplenig nee Oppenheim in and to the trusts created under the will of Max Lobl, deceased, presently in the process of administration by Herbert A. Mossler, as Trustee, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-872; Filed, Feb. 5, 1957; 8:49 a.m.]

#### SANDOR LINDENFELD

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mr. Sandor Lindenfeld, c/o Mrs. Therese Pollack, Vienna, I., Kollnerhofgasse 3-14,

Austria; Claim No. 40099; Vesting Order No. 5166; \$960.00 in the Treasury of the United States.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,

Deputy Director,

Office of Alien Property.

[F. R. Doc. 57-873; Filed, Feb. 5, 1957; 8:49 a. m.]

GINO LEVI BASEVI ET AL.

AMENDMENT TO NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Notice of Intention to Return Vested Property hereinafter described to Enrica Levi, nee Basevi and Gabriella Zamorani, nee Basevi was published in the Federal Register on October 25, 1955 (20 F. R. 8029). Subsequent to the publication of the Notice, this Office was advised that Enrica Levi, nee Basevi died intestate and left surviving as sole heirs her children, Gino Levi Basevi and Gabriella Montalcini Levi. Consequently, the Notice of Intention to Return Vested Property published on October 25, 1955 (20 F. R. 8029) is amended to read as follows:

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after ade-

quate provision for taxes and conservatory expenses:

Claimants, Claim No., Property, and Location

Gino Levi Basevi and Gabriella Montalcini Levi, Rapallo (Genoa), Italy, Gabriella Zamorani, nee Basevi, Rome, Italy; Claim No. 39677; Vesting Order No. 2785; \$264.35 in the Treasury of the United States; one-half thereof to Gabriella Zamorani, nee Basevi, and one-fourth thereof each to Gino Levi Basevi and Gabriella Montalcini Levi.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-876; Filed, Feb. 5, 1957; 8:49 a. m.]

MARINE INSURANCE CO., LTD.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

The Marine Insurance Company, Ltd., 159 Leadenhall Street, London, E. C. 3, England; Claim No. 44074; Vesting Order No. 6895; \$332.22 in the Treasury of the United States.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-374; Filed, Feb. 5, 1957; 8:49 a.m.]

FRIEDRICH TIMMERMANN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Friedrich Timmermann, 2 Nollendorf Strasse, Berlin, W30, Germany; Claim No. 43995; Vesting Order No. 13223; \$176.45 in the Treasury of the United States.

Executed at Washington, D. C., on January 30, 1957.

For the Attorney General.

[SEAL]

Paul V. Myron, Deputy Director, Office of Alien Property.

[F. R. Doc. 57-875; Filed, Feb. 5, 1957; 8:49 a.m.]